

**Donelon, Terry**

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**From:** Fleck, Craig  
**Sent:** Friday, June 22, 2018 3:42 PM  
**To:** GOP\_All  
**Subject:** New GOP Additions

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

# WELCOME

When you get a free minute, please make sure to introduce yourself and welcome the newest members of our team.



## Tyler Herrmann, Deputy Legal Counsel / Policy Advisor

Tyler is from Harrison, Ohio and holds a Juris Doctorate from the University of Cincinnati and a Political Science degree from Wright State University. Tyler served in the United States Air Force as an Operations Intelligence Analyst NCO and currently serves as a JAG Attorney for the United States Army. He currently presides as the Chairman for the Ohio Chapter of the Republican National Lawyers Association, and as the Treasurer for the Cap City Young Republicans. Tyler transferred to the House from the Attorney General's Office where he served as an Assistant Attorney General within the Executive Agencies Section.



## James Kennedy, LA Merrin

James is from Palm City, Florida and an alum of Florida, Atlantic University where he graduated with a degree in Political Science. While in college he had the opportunity to serve as a Tax and Fiscal Policy Intern for the American Legislative Exchange Council (ALEC). James has an extensive research background serving as a Legal Research Analyst Intern for the Buckeye Institute and as a Political-Military Analyst Intern for the Hudson Institute. Prior to arriving to the House, he served as a Legislative Assistant for the Tennessee Legislation Service in Nashville. In James' free time, he enjoys collecting sports memorabilia and claims to have personally met nearly every major league baseball superstar.



## Lauren Reid, LA Butler

Lauren is from Madison, Connecticut, and recently graduated from the University of Dayton with degrees in Criminal Justice and Political Science with a minor in Spanish. While at Dayton, she served as a Statehouse Civic Scholar, where she was assigned an internship working for the Governor's communication team. Lauren had the unique experience of traveling to Segovia, Spain, where she participated in a four-week immersion program. During the winter months whenever she gets the opportunity, she enjoys to snowmobile.

### **Craig Fleck**

Deputy Administrative Officer  
Ohio House of Representatives  
77 South High Street, 12<sup>th</sup> Floor  
Columbus, Ohio 43215  
Cell: 440.376.6098  
Office: 614.466.2175  
[Craig.fleck@ohiohouse.gov](mailto:Craig.fleck@ohiohouse.gov)

## **Donelon, Terry**

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**From:** Antani, Niraj  
**Sent:** Friday, June 22, 2018 4:07 PM  
**To:** GOP\_All  
**Subject:** HB 425- body camera videos and public records

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**To:** Republican House Members

**From:** Rep. Antani  
**Date:** 06/21/2018  
**Re:** HB 425

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As you will be receiving a whip notice about HB 425, I wanted to write to ensure you had all of the information on the bill. Please let me know directly at 937-838-6517 if you have any questions. House Bill 425 would establish public record law for police worn body camera videos, and has been unanimously voted out of the House Government Accountability and Oversight Committee. No opponents testified in committee, and we know of no known interested party opponents.

HB 425 is supported by the Fraternal Order of Police, Chiefs of Police Association, NAACP, ACLU, Ohio News Media Association, Ohio Prosecuting Attorneys Association, and the City of Columbus. This bill will set forth public record law for police worn body camera videos as well as dashboard camera videos. HB 425 effectively strikes a balance between transparency and privacy, as it states most videos are a public record, but also establishes instances in which a police body camera video cannot be released as a public record, including: if it is a confidential investigatory record, a video within a private home, a video within a private business, or a video of a sex crime victim.

### ***What they're saying about HB 425:***

#### **Fraternal Order of Police**

"When the bill was introduced, Ohio Fraternal Order of Police lobbyist Mike Weinman said the police union sees no major issues with the bill and is happy to see that personal conversations among officers that aren't related to police work will not be considered a public record." Source: [DDN](#)

#### **Ohio Prosecuting Attorney's Association**

"I am writing today to express the support of the Ohio Prosecuting Attorney's Association." - Lou Tobin, Executive Director. Source: Letter from OPAA to Rep. Antani, 6/11/2018

## **Ohio News Media Association**

"We believe that HB 425 can be one of the nation's best laws involving body cameras." - Dennis Hetzel, Executive Director. Source: Testimony to House GAO.

Thanks,  
Niraj J. Antani  
State Representative (R-42)  
Ohio House of Representatives  
937.838.6517

**Donelon, Terry**

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**From:** Economic Development Commerce and Labor Committee  
**Sent:** Friday, June 22, 2018 4:41 PM  
**To:** Hoefflin, Alexandria  
**Cc:** District 73; District 02; District 52; District 63; District 28; District 12; District 07; District 04  
**Subject:** NOTICE - Econ Dev. Com & Labor Committee Notice  
**Attachments:** June 26 Notice.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good Afternoon All,

Please find attached the Committee Notice for next week.

Please provide any witness testimony in writing along with contact information to me by the close of business Monday June 25<sup>th</sup>.

I will send out the substitute bill on HB 600 as soon as I have it in the office. There are a couple of tweaks LSC is making on the draft.

Feel free to contact me with any questions.

Regards,

*Bob Reed*

Legislative Aide to State Representative Ron Young  
Chairman, Ohio House Economic Development, Commerce and Labor Committee

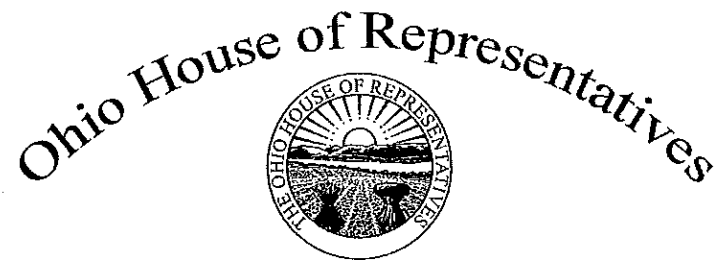
**Ohio House District 61**

77 South High Street, 13<sup>th</sup> Floor

Columbus, OH 43215

(614) 644-6074

[Bob.Reed@OhioHouse.gov](mailto:Bob.Reed@OhioHouse.gov)



## ANNOUNCEMENT OF COMMITTEE MEETING

**COMMITTEE:** Economic Development, Commerce, and Labor  
**CHAIR:** Ron Young  
**DATE:** Tuesday, June 26, 2018  
**TIME:** 1:30 PM  
**ROOM:** Room 113

## AGENDA

<u>BILL</u>	<u>SPONSOR</u>	<u>TITLE</u>	<u>STATUS</u>
H. C. R. No. 24	Rep. Riedel, Rep. Holmes	Urge Congress approve Regulation Freedom Amendment	4th Hearing Poss. Vote Prop/Opp/IP
H. B. No. 127	Rep. Perales, Rep. Dever	Establish structural steel and bridge welding requirements	5th Hearing Poss. Vote Prop/Opp/IP
H. B. No. 551	Rep. Perales, Rep. Romanchuk	Regards minors in hazardous or dangerous occupations	3rd Hearing Poss. Vote Prop/Opp/IP
H. B. No. 600	Rep. Barnes	Create new, untapped global markets for Ohio businesses	2nd Hearing Poss. Sub. Bill Proponent
H. B. No. 236	Rep. Patton, Rep. Cupp	Enact Model Elevator Act	3rd Hearing Prop/Opp/IP
H. B. No. 625	Rep. Lang, Rep. Lipps	Authorize and regulate use of auxiliary containers	3rd Hearing Opponent

## **Donelon, Terry**

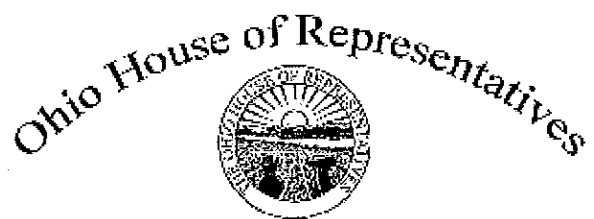
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**From:** State and Local Government Committee  
**Sent:** Friday, June 22, 2018 5:03 PM  
**Subject:** House State and Local Government Committee - Notice for Week of June 25th  
**Attachments:** Witness.Slip.pdf; 6.26.18Notice.pdf; I\_132\_1022-1 (Sub. HB 675).pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good afternoon,

Chair Anielski wanted me to pass along the following to you:



# **ANNOUNCEMENT OF COMMITTEE MEETING**

**COMMITTEE:** State and Local Government  
**CHAIR:** Marlene Anielski  
**DATE:** Tuesday, June 26, 2018  
**TIME:** 3:00 PM  
**ROOM:** Room 116

## **AGENDA**

<u>BILL</u>	<u>SPONSOR</u>	<u>TITLE</u>	<u>STATUS</u>
H. B. No. 492	Rep. Gonzales	Establish women-owned business procurement goals	5th Hearing Poss. Vote Prop/Opp/IP
H. B. No. 589	Rep. Ramos, Rep. Lang	Designate Hispanic and Latino Heritage Month	3rd Hearing Poss. Vote Prop/Opp/IP
H. B. No. 598	Rep. West, Rep. Green	Address tax sales of land and of land held by a land bank	3rd Hearing Poss. Vote Prop/Opp/IP
H. B. No. 651	Rep. Schaffer	Designate Hank Kabel Sarcoma Awareness Month	3rd Hearing Poss. Vote Prop/Opp/IP
H. B. No. 675	Rep. Barnes	Authorize tax levy for Hope for Smile Program	3rd Hearing Poss. Sub. Bill
Sub. S. B. No. 239	Sen. Dolan	Modifies regional councils of government law	3rd Hearing Poss. Vote Prop/Opp/IP

The Chair respectfully requests that all testimony and witness slips be submitted to her office 24 hours in advance of committee. Testimony submitted after that time will be considered as written testimony only. Testimony may be submitted to [StateandLocalGovernmentCommittee@OhioHouse.gov](mailto:StateandLocalGovernmentCommittee@OhioHouse.gov)



# WITNESS INFORMATION FORM

Please complete the Witness Information Form before testifying:

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Are you representing: Yourself ☐ Organization ☐

Organization (If Applicable): \_\_\_\_\_

Position/Title: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Best Contact Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

Do you wish to be added to the committee notice email distribution list? Yes ☐ No ☐

Business before the committee

Legislation (Bill/Resolution Number): \_\_\_\_\_

Specific Issue: \_\_\_\_\_

Are you testifying as a: Proponent ☐ Opponent ☐ Interested Party ☐

Will you have a written statement, visual aids, or other material to distribute? Yes ☐ No ☐

(If yes, please send an electronic version of the documents, if possible, to the Chair's office prior to committee. You may also submit hard copies to the Chair's staff prior to committee.)

How much time will your testimony require? \_\_\_\_\_

Please provide a brief statement on your position:

*Please be advised that this form and any materials (written or otherwise) submitted or presented to this committee are records that may be requested by the public and may be published online.*

I\_132\_1022-1

132nd General Assembly  
Regular Session  
2017-2018

Sub. H. B. No. 675

**A BILL**

To amend section 5705.06 and to enact sections  
307.601 and 749.40 of the Revised Code to  
expressly authorize municipal corporations and  
counties to establish and operate local Hope for  
a Smile Programs funded by property tax revenue.

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**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That section 5705.06 be amended and sections  
307.601 and 749.40 of the Revised Code be enacted to read as  
follows:

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**Sec. 307.601.** (A) A board of county commissioners may  
establish and operate a hope for a smile program with the  
primary objective of improving the oral health of school-age  
children, targeting children who are indigent and uninsured. The  
program may be implemented in a way that creates systemic  
efficiencies by leveraging available medicaid and insurance  
funding to provide early dental care and thereby improve future  
health outcomes and minimize the inevitable health care costs  
associated with bad oral health that will be paid by future  
taxpayers.

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(B) The board may allocate revenue to a hope for a smile 19  
program from the proceeds of a tax levied under section 5705.191 20  
of the Revised Code, or a tax that is a renewal or replacement 21  
of such levy, if the purpose of the tax is to supplement the 22  
general fund of the county for health or human services 23  
purposes. All such revenue shall be credited to a hope for a 24  
smile program fund established by the board and shall be used 25  
solely for the purposes described by this section. Any interest 26  
earned on money in the hope for a smile program fund shall be 27  
credited to the fund. 28

(C) The board may collaborate with one or more of the 29  
following in administering a hope for a smile program: 30

- (1) The Ohio dental association; 31
- (2) The Ohio dental hygienists' association; 32
- (3) The Ohio state university college of dentistry and the 33  
dental hygiene program at that college; 34
- (4) Case western reserve university school of dental 35  
medicine; 36
- (5) Shawnee state university; 37
- (6) James A. Rhodes state college; 38
- (7) Columbus state community college; 39
- (8) Cuyahoga community college, metropolitan campus; 40
- (9) Youngstown state university; 41
- (10) Lorain county community college; 42
- (11) Lakeland community college; 43
- (12) University of Cincinnati; 44

(13) Sinclair community college; 45

(14) Owens community college; 46

(15) Stark state college. 47

(D) Money in the hope for a smile program fund may be used 48  
to purchase or secure the use of, maintain, and operate one or 49  
more buses equipped as mobile dental units and staffed by 50  
dentists, dental hygienists, or the faculty or staff of the 51  
dentistry and dental hygiene educational programs of this state. 52  
The faculty or staff of the educational programs may permit 53  
students enrolled in the programs to participate in staffing the 54  
bus or buses. 55

The individuals staffing each bus shall travel to schools 56  
located in the county. In scheduling visits to those schools, 57  
priority shall be given to schools that are attended by high 58  
numbers of children who are in the program's targeted 59  
population, but any child may receive dental services. The bus 60  
may also be used to provide services to elderly persons. 61  
Individuals who provide services through a hope for a smile 62  
program shall provide the services in accordance with their 63  
authority to practice under Chapter 4715. of the Revised Code. 64

(E) A county that has established and operates a hope for 65  
a smile program satisfying divisions (A) to (D) of this section 66  
may do any of the following: 67

(1) Apply on the program's behalf to the department of 68  
medicaid for a medicaid provider agreement. 69

(2) Arrange with private entities that provide health care 70  
insurance or other forms of health care coverage in this state 71  
for reimbursement from them for services provided to children 72  
who have health care insurance or coverage through those 73

entities. The director of health shall assist the county in 74  
complying with this division upon the county's request. 75

(3) Seek payments from the medicaid program for services 76  
provided to children who are medicaid recipients. 77

(4) Seek reimbursement from private entities that provide 78  
health care insurance or other forms of health care coverage for 79  
services provided to children who have insurance or coverage 80  
through those. 81

(5) Apply for money allocated by the United States 82  
department of labor or other entities for workforce or economic 83  
development initiatives. 84

Any amounts received from a source described in this 85  
division shall be credited to the hope for a smile program fund. 86

(F) Not later than the first day of July each year, a 87  
board of county commissioners operating a hope for a smile 88  
program shall prepare a report on progress the program has made 89  
in achieving the objective expressed in division (A) of this 90  
section, saving money for the medicaid program and other safety 91  
net programs, and promoting workforce and economic development 92  
in this state. The board shall submit each report to the 93  
governor and to the general assembly. 94

Sec. 749.40. (A) The legislative authority of a municipal 95  
corporation may establish and operate a hope for a smile program 96  
with the primary objective of improving the oral health of 97  
school-age children, targeting children who are indigent and 98  
uninsured. The program may be implemented in a way that creates 99  
systemic efficiencies by leveraging available medicaid and 100  
insurance funding to provide early dental care and thereby 101  
improve future health outcomes and minimize the inevitable 102

health care costs associated with bad oral health that will be 103  
paid by future taxpayers. 104

(B)(1) The legislative authority may annually levy and 105  
collect a tax under division (H) of section 5705.06 of the 106  
Revised Code to fund a hope for a smile program. The rate of the 107  
tax shall not exceed one mill on each dollar of taxable value. 108

(2) The legislative authority may, as a supplement or 109  
alternative to the funding described in division (B)(1) of this 110  
section, allocate revenue to a hope for a smile program from the 111  
proceeds of a tax levied under section 5705.191 of the Revised 112  
Code, or a tax that is a renewal or replacement of such levy, if 113  
the purpose of the tax is to supplement the general fund of the 114  
municipal corporation for health or human services purposes. 115

(3) All revenue received from the tax levied under 116  
division (B)(1) of this section or allocated under division (B) 117  
(2) of this section shall be credited to a hope for a smile 118  
program fund established by the municipal corporation and shall 119  
be used solely for the purposes described by this section. Any 120  
interest earned on money in the hope for a smile program fund 121  
shall be credited to the fund. 122

(C) A municipal corporation may collaborate with one or 123  
more of the following in administering a hope for a smile 124  
program: 125

(1) The Ohio dental association; 126

(2) The Ohio dental hygienists' association; 127

(3) The Ohio state university college of dentistry and the 128  
dental hygiene program at that college; 129

(4) Case western reserve university school of dental 130

<u>medicine;</u>	131
<u>(5) Shawnee state university;</u>	132
<u>(6) James A. Rhodes state college;</u>	133
<u>(7) Columbus state community college;</u>	134
<u>(8) Cuyahoga community college, metropolitan campus;</u>	135
<u>(9) Youngstown state university;</u>	136
<u>(10) Lorain county community college;</u>	137
<u>(11) Lakeland community college;</u>	138
<u>(12) University of Cincinnati;</u>	139
<u>(13) Sinclair community college;</u>	140
<u>(14) Owens community college;</u>	141
<u>(15) Stark state college.</u>	142
<u>(D) Money in the hope for a smile program fund may be used</u>	143
<u>to purchase or secure the use of, maintain, and operate one or</u>	144
<u>more buses equipped as mobile dental units and staffed by</u>	145
<u>dentists, dental hygienists, or the faculty or staff of the</u>	146
<u>dentistry and dental hygiene educational programs of this state.</u>	147
<u>The faculty or staff of the educational programs may permit</u>	148
<u>students enrolled in the programs to participate in staffing the</u>	149
<u>bus or buses.</u>	150
<u>The individuals staffing each bus shall travel to schools</u>	151
<u>located in the municipal corporation. In scheduling visits to</u>	152
<u>those schools, priority shall be given to schools that are</u>	153
<u>attended by high numbers of children who are in the program's</u>	154
<u>targeted population, but any child may receive dental services.</u>	155
<u>The bus may also be used to provide services to elderly persons.</u>	156

Individuals who provide services through a hope for a smile 157  
program shall provide the services in accordance with their 158  
authority to practice under Chapter 4715. of the Revised Code. 159

(E) A municipal corporation that has established and 160  
operates a hope for a smile program satisfying divisions (A) to 161  
(D) of this section may do any of the following: 162

(1) Apply on the program's behalf to the department of 163  
medicaid for a medicaid provider agreement. 164

(2) Arrange with private entities that provide health care 165  
insurance or other forms of health care coverage in this state 166  
for reimbursement from them for services provided to children 167  
who have health care insurance or coverage through those 168  
entities. The director of health shall assist the municipal 169  
corporation in complying with this division upon the municipal 170  
corporation's request. 171

(3) Seek payments from the medicaid program for services 172  
provided to children who are medicaid recipients. 173

(4) Seek reimbursement from private entities that provide 174  
health care insurance or other forms of health care coverage for 175  
services provided to children who have insurance or coverage 176  
through those. 177

(5) Apply for money allocated by the United States 178  
department of labor or other entities for workforce or economic 179  
development initiatives. 180

Any amounts received from a source described in this 181  
division shall be credited to the hope for a smile program fund. 182

(F) Not later than the first day of July each year, a 183  
municipal corporation operating a hope for a smile program shall 184



prepare a report on progress the program has made in achieving 185  
the objective expressed in division (A) of this section, saving 186  
money for the medicaid program and other safety net programs, 187  
and promoting workforce and economic development in this state. 188  
The municipal corporation shall submit each report to the 189  
governor and to the general assembly. 190

**Sec. 5705.06.** The following special levies are hereby 191  
authorized without vote of the people: 192

(A) A levy for any specific permanent improvement which 193  
the subdivision is authorized by law to acquire, construct, or 194  
improve, or any class of such improvements which could be 195  
included in a single bond issue; 196

(B) A levy for the library purposes of the subdivision, in 197  
accordance with the provisions of the Revised Code authorizing 198  
levies for such purposes, but only to the extent so authorized; 199

(C) In the case of a municipal corporation, a levy for a 200  
municipal university under section 3349.13 of the Revised Code, 201  
but only to the extent authorized; 202

(D) In the case of a county, a levy for the construction, 203  
reconstruction, resurfacing, and repair of roads and bridges, 204  
other than state roads and bridges; 205

(E) In the case of a county, a levy for paying the 206  
county's proportion of the cost of the construction, 207  
improvement, and maintenance of state highways; 208

(F) In the case of a township, a levy for the 209  
construction, reconstruction, resurfacing, and repair of roads 210  
and bridges, excluding state roads and bridges, including the 211  
township's portion of the cost of the construction, improvement, 212  
maintenance, and repair of county roads and bridges; 213

(G) The levies prescribed by division (B) of sections 214  
742.33 and 742.34 of the Revised Code; 215

(H) In the case of a municipal corporation, a levy for the 216  
purposes of establishing and operating a hope for a smile 217  
program under section 749.40 of the Revised Code. 218

Each such special levy shall be within the ten-mill 219  
limitation and shall be subject to the control of the county 220  
budget commission, as provided by sections 5705.01 to 5705.47 of 221  
the Revised Code. 222

Except for the special levies authorized in divisions (A), 223  
(B), (C), (D), (E), and (G) of this section, any authority 224  
granted by the Revised Code to levy a special tax within the 225  
ten-mill limitation for a current expense shall be construed as 226  
authority to provide for such expense by the general levy for 227  
current expenses. 228

**Section 2.** That existing section 5705.06 of the Revised 229  
Code is hereby repealed. 230

**Donelon, Terry**

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**From:** Pinkerman, Lindsay  
**Sent:** Friday, June 22, 2018 5:23 PM  
**Subject:** House Committee Schedule 6/25-6/29  
**Attachments:** June 25-29.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good Afternoon,

Attached is the House Committee Schedule for the week of Monday, June 25, 2018. Any additions or revisions will be reflected on the version located on [Ohiohouse.gov](http://Ohiohouse.gov) under the committees tab and will be marked in green.

Please let me know if you have any questions.

Have a great weekend!

**Lindsay Pinkerman**

Administrative Assistant  
Clerks Office  
Ohio House of Representatives  
1 Capitol Square  
Columbus, Ohio 43215  
614.466.3357



## **Committee Schedule Week of June 25, 2018**

### **Tuesday, June 26, 2018**

#### **Finance**

9:00 am, Room 313, Chair: Ryan

**Sub. S.B. 299 Gardner/O'Brien**, 2<sup>nd</sup> Hearing \*PA \*PV  
Finance projects for protection of Lake Erie and its basin

**H.B. 154 Speaker Smith/Manning**, 1<sup>st</sup> Hearing, Sponsor Testimony \*PV  
Establish Commercial Truck Driver Student Aid Program

**Sub. H.B. 126 Boyd/Rezabek**, 2<sup>nd</sup> Hearing, All Testimony \*PA \*PV  
Require region-based kinship caregiver navigator program

**H.B. 602 Duffey/Lanese**, 3<sup>rd</sup> Hearing, All Testimony \*PV  
Penalize municipality for providing water/sewer outside territory

**H.B. 695 Thompson/Edwards**, 2<sup>nd</sup> Hearing, All Testimony  
Reinstate Rural Industrial Park Loan Fund

#### **Rules and Reference**

10:30 am, Room 119, Chair: Speaker Smith

## **Tuesday, June 26, 2018**

### **Ways and Means**

10:30 am, Room 121, Chair: Schaffer

**H.B. 545 Arndt**, 3<sup>rd</sup> Hearing, All Testimony \*PA \*PV  
Remit sales tax after item or service delivered

**H.B. 575 Keller/Rezabek**, 4<sup>th</sup> Hearing, All Testimony \*PA  
Grant tax credit to volunteer firefighters and EMTs

**H.B. 641 Antani**, 2<sup>nd</sup> Hearing, Proponent Testimony  
Exempt from tax things used by logistics firms in moving goods

### **Financial Institutions, Housing, and Urban Development**

11:00 am, Room 114, Chair: Dever

**H.B. 390 Merrin**, 6<sup>th</sup> Hearing, All Testimony \*PA \*PV  
Clarify computation of timelines for forcible entry and detainer

### **Government Accountability and Oversight**

1:00 pm, Room 114, Chair: Blessing

**Sub. S.B. 220 Hackett/Bacon**, 2<sup>nd</sup> Hearing, All Testimony \*PA \*PV  
Provide legal safe harbor if implement cybersecurity program

**Sub. S.B. 221 Uecker**, 3<sup>rd</sup> Hearing, All Testimony \*PA \*PV  
Reform agency rule-making and legislative review of rules

**Sub. S.B. 263 Huffman/Wilson**, 2<sup>nd</sup> Hearing, All Testimony \*PA \*PV  
Enact Notary Public Modernization Act

## **Tuesday, June 26, 2018**

### **Economic Development, Commerce, and Labor**

1:30 pm, Room 113, Chair: Young

**H.C.R. Riedel/Holmes**, 4<sup>th</sup> Hearing, All Testimony \*PV  
Urge Congress approve Regulation Freedom Amendment

**H.B. 127 Perales/Dever**, 5<sup>th</sup> Hearing, All Testimony \*PV  
Establish structural steel and bridge welding requirements

**H.B. 551 Perales/Romanchuk**, 3<sup>rd</sup> Hearing, All Testimony \*PV  
Regards minors in hazardous or dangerous occupations

**H.B. 600 Barnes**, 2<sup>nd</sup> Hearing, Proponent Testimony \*PS  
Create new, untapped global markets for Ohio businesses

**H.B. 236 Patton/Cupp**, 3<sup>rd</sup> Hearing, All Testimony  
Enact Model Elevator Act

**H.B. 625 Lang/Lipps**, 3<sup>rd</sup> Hearing, Opponent Testimony  
Authorize and regulate use of auxiliary containers

### **Federalism & Interstate Relations**

2:00 pm, Room 115, Chair: Roegner

**S.B. 208 Terhar**, 2<sup>nd</sup> Hearing, All Testimony \*PV  
Allow on or off duty police to carry weapon on certain premises

**H.R. 391 Young**, 1<sup>st</sup> Hearing, Sponsor Testimony  
To urge President Donald J. Trump, members of his administration, and the Congress of the United States to revise the requirements for the H-2A Temporary Agricultural Worker Visa Program established under the Immigration and Nationality Act to reduce the cost and regulatory impact on employers who utilize the Program.

**H.B. 703 Becker**, 1<sup>st</sup> Hearing, Sponsor Testimony  
Expand concealed carry rights

**H.B. 580 Thompson**, 3<sup>rd</sup> Hearing, All Testimony  
Establish procedures for executive agencies applying for grants

## **Tuesday, June 26, 2018**

### **State and Local Government**

3:00 pm, Room 116, Chair: Anielski

**H.B. 492 Gonzales**, 5<sup>th</sup> Hearing, All Testimony \*PV  
Establish women-owned business procurement goals

**H.B. 589 Ramos/Lang**, 3<sup>rd</sup> Hearing, All Testimony \*PV  
Designate Hispanic and Latino Heritage Month

**H.B. 651 Schaffer**, 3<sup>rd</sup> Hearing, All Testimony \*PV  
Designate Hank Kabel Sarcoma Awareness Month

**H.B. 675 Barnes**, 3<sup>rd</sup> Hearing \*PS  
Authorize tax levy for Hope for Smile Program

**Sub. S.B. 239 Dolan**, 3<sup>rd</sup> Hearing, All Testimony \*PV  
Modifies regional councils of government law

### **Education and Career Readiness**

3:30 pm, Room 121, Chair: Brenner

**Am. Sub. S.B. 216 Huffman**, 5<sup>th</sup> Hearing, All Testimony \*PA \*PV  
Enact Public School Deregulation Act-primary/secondary ed-testing

**H.B. 591 Duffey**, 4<sup>th</sup> Hearing, All Testimony \*PA \*PV  
Revise report card rating system for schools

### **Conference Committee on SB1**

6:00 pm, Finance Hearing Room

**Sub. S.B. 1 LaRose**, 1<sup>st</sup> Hearing \*PV  
Revise drug laws

## **Wednesday, June 27, 2018**

### **Health**

8:30 am, Room 121, Chair: Huffman

**H.B. 677 Barnes**, 1<sup>st</sup> Hearing, Sponsor/Proponent Testimony  
Operate demonstration mental health trauma center

**H.B. 559 Gonzales/Landis**, 4<sup>th</sup> Hearing \*PA \*PS  
Change school immunization requirements

**H.B. 546 Patton**, 4<sup>th</sup> Hearing, All Testimony \*PV  
Prohibit health insurer discrimination involving telemedicine

**H.B. 167 Edwards**, 3<sup>rd</sup> Hearing, All Testimony \*PV  
Address opioid prescribing and addiction treatment

**H.B. 72 Johnson/Antonio**, 6<sup>th</sup> Hearing \*PS  
Adopt requirements for step therapy protocols

**H.B. 326 Seitz/Gavarone**, 6<sup>th</sup> Hearing \*PA \*PS  
Authorize psychologists to prescribe psychotropics

### **Agriculture and Rural Development**

9:00 am, Room 018, Chair: Hill

**H.B. 631 Hughes/Patterson**, 1<sup>st</sup> Hearing, Sponsor Testimony  
Revise amusement ride operation and safety laws

**H.B. 560 Lanese**, 1<sup>st</sup> Hearing, Sponsor Testimony  
Prohibit pet food from containing euthanized animal remains



## **Wednesday, June 27, 2018**

### **Government Accountability and Oversight \*\*IF NEEDED\*\***

9:00 am, Room 114, Chair: Blessing

#### **Insurance**

9:00 am, Room 116, Chair: Brinkman

**Am. S.B. 227 Huffman**, 1<sup>st</sup> Hearing, Sponsor Testimony  
Require health insurers to release group plan claim information

**H.B. 621 Hughes**, 3<sup>rd</sup> Hearing, Opponent Testimony  
Provide health benefits to survivors of safety officers

#### **Civil Justice**

3:00 pm (Or After Session), Room 121, Chair: Butler

**H.B. 615 West**, 1<sup>st</sup> Hearing, Sponsor Testimony  
Require creditors to inform no obligation to pay decedent's debt

**H.B. 672 Barnes**, 1<sup>st</sup> Hearing, Sponsor Testimony  
Obtain court order to correct a public record

**H.B. 694 Lang**, 1<sup>st</sup> Hearing, Sponsor Testimony  
Reduce statute of limitations for contract actions

**Sub. H.B. 147 Hambley**, 4<sup>th</sup> Hearing, All Testimony \*PV  
Change humane society law

## **Thursday, June 28, 2018**

### **Joint Medicaid Oversight Committee**

9:00 am, Room 313, Chair: Burke

### **Joint Education Oversight Committee**

11:30 am, Room: TBD, Chair: Manning, G.

**PV** – Possible Vote

**PA** – Possible Amendments

**PS** – Possible Substitute

## Donelon, Terry

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**From:** report@hannah.com  
**Sent:** Friday, June 22, 2018 5:52 PM  
**To:** DL\_Hannah  
**Subject:** Hannah News Stories for Friday, June 22, 2018

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Friday, June 22, 2018**

### **IN TODAY'S HANNAH REPORT:**

**Please click here to read the entire Hannah Report.**

### **Today's Stories**

- [Trump Flips the Script on Ohio House Races in 2018](#)
- [Time for U.S. to 'Pull Head Out of Sand' on Marijuana, Joyce Says](#)
- [Criminal Justice Fertile Ground for 'Women's Issues,' Lawmakers Say](#)
- [BWC Rebate Checks Coming Soon; Fire Chief Joins Board of Directors](#)
- [Despite Agreement to Investigate Claims, Sykes 'Disappointed' in ODPS Meeting](#)
- [Parole Board Again Disfavors Clemency for Tibbets Despite Juror's Change of Heart](#)
- [ODH Declares Hepatitis A Outbreak](#)
- [CSG Digs into Ohio Arrest Data for 'Groundbreaking Analysis'](#)
- [Columbus Designated Home of National Veterans Memorial](#)
- [Brown Argues Against Proposed Defense Job Cuts in Columbus](#)
- [Auditor's Intervention Unnecessary, Judge Overseeing ECOT Dissolution Rules](#)
- [Environmental Group Sues ODNR for Oil, Gas Records](#)
- [Federal Plan Would Merge Education, Labor Agencies](#)
- [Week in Review for Friday, June 22, 2018](#)
- [Notable Quotes around Capitol Square](#)
- [State Government Roundup: House](#)
- [Campaign Corner: Early Voting](#)
- [Executive Actions: Appointments](#)

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## Donelon, Terry

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**From:** Economic Development Commerce and Labor Committee  
**Sent:** Monday, June 25, 2018 1:22 PM  
**To:** Hoefflin, Alexandria  
**Cc:** District 73; District 02; District 52; District 63; District 28; District 12; District 07; District 04  
**Subject:** REVISED NOTICE - Econ Dev. Com & Labor Committee Notice  
**Attachments:** June 26 Notice 1st revision.pdf; I\_132\_0525-1 (Sub. HB 127).pdf; I\_132\_0025-2 (Sub. HB 600).pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good Afternoon All,

Please find attached a revised committee notice for tomorrow.

Please provide any witness testimony in writing along with contact information to me by the close of business today.

I have also attached the Substitute Bills for HB 127 and HB 600.

The intent of the HB 127 is to require welders performing structural steel welding hold a valid certificate from a facility that has been accredited by the American Welding Society.

The attached sub bill changes the oversight from the Board of Building Standards to the Division of Industrial Compliance (Page 2 line 32 of the sub bill) to certify local building officials to inspect construction projects for compliance that welders are AWS certified. - It was discovered that the Industrial Compliance was more appropriate to handle this task.

The sub bill stipulates that the Division of Industrial Compliance does not have jurisdiction over D1.5 (ODOT and bridge work) (line 17 through 19) of the original as they are governed by a different set of standards and were not originally intended to be in the bill.

Otherwise, the bills are largely the same and remaining language is added to the sub bill is to make it fit into the Industrial Compliance Division.

Feel free to contact me with any questions.

Regards,

*Bob Reed*

Legislative Aide to State Representative Ron Young  
Chairman, Ohio House Economic Development, Commerce and Labor Committee  
**Ohio House District 61**  
77 South High Street, 13<sup>th</sup> Floor  
Columbus, OH 43215  
(614) 644-6074  
[Bob.Reed@OhioHouse.gov](mailto:Bob.Reed@OhioHouse.gov)

I\_132\_0525-1

132nd General Assembly

Regular Session

2017-2018

Sub. H. B. No. 127

**A BILL**

To amend sections 3781.03, 3781.06, 3781.061, and  
3781.10 and to enact sections 3781.40 to 3781.44  
of the Revised Code to require general  
contractors, subcontractors, and project  
managers to follow certain standards pertaining  
to structural steel welding and to require the  
Division of Industrial Compliance to certify  
local building officials to inspect construction  
projects for compliance with the standards.

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 3781.03, 3781.06, 3781.061, and  
3781.10 be amended and sections 3781.40, 3781.41, 3781.42,  
3781.43, and 3781.44 of the Revised Code be enacted to read as  
follows:

**Sec. 3781.03.** (A) The state fire marshal, the fire chief  
of a municipal corporation that has a fire department, or the  
fire chief of a township that has a fire department shall  
enforce the provisions of this chapter and Chapter 3791. of the  
Revised Code that relate to fire prevention.



y6wjt8kx2qdsr4vgbaqwsm

(B) The (1) Except as provided in division (B) (2) of this 19  
section, the superintendent of industrial compliance, or the 20  
building inspector or commissioner of buildings in a municipal 21  
corporation, county, or township in which the building 22  
department is certified by the board of building standards under 23  
section 3781.10 of the Revised Code shall enforce in the 24  
jurisdiction of each entity all the provisions in this chapter 25  
and Chapter 3791. of the Revised Code and any rules adopted 26  
pursuant to those chapters that relate to the construction, 27  
arrangement, and erection of all buildings or parts of 28  
buildings, as defined in section 3781.06 of the Revised Code, 29  
including the sanitary condition of those buildings in relation 30  
to heating and ventilation. 31

(2) The superintendent, or the building inspector or 32  
commissioner of buildings in a municipal corporation, county, or 33  
township in which the building department is certified by the 34  
superintendent under section 3781.43 of the Revised Code shall 35  
enforce in the jurisdiction of each entity section 3781.41 of 36  
the Revised Code. 37

(C) The division of industrial compliance in the 38  
department of commerce, boards of health of health districts, 39  
certified departments of building inspection of municipal 40  
corporations, and county building departments that have 41  
authority to perform inspections pursuant to a contract under 42  
division (C) (1) of section 3703.01 of the Revised Code, subject 43  
to Chapter 3703. of the Revised Code, shall enforce this chapter 44  
and Chapter 3791. of the Revised Code and the rules adopted 45  
pursuant to those chapters that relate to plumbing. Building 46  
drains are considered plumbing for the purposes of enforcement 47  
of those chapters. 48

(D) (1) In accordance with Chapter 3703. of the Revised 49  
Code, the department of the city engineer, in cities having such 50  
departments, the boards of health of health districts, or the 51  
sewer purveyor, as appropriate, shall have complete authority to 52  
supervise and regulate the entire sewerage and drainage system 53  
in the jurisdiction in which it is exercising the authority 54  
described in this division, including the building sewer and all 55  
laterals draining into the street sewers. 56

(2) In accordance with Chapter 3703. of the Revised Code, 57  
the department of the city engineer, the boards of health of 58  
health districts, or the sewer purveyor, as appropriate, shall 59  
control and supervise the installation and construction of all 60  
drains and sewers that become a part of the sewerage system and 61  
shall issue all the necessary permits and licenses for the 62  
construction and installation of all building sewers and of all 63  
other lateral drains that empty into the main sewers. The 64  
department of the city engineer, the boards of health of health 65  
districts, and the sewer purveyor, as appropriate, shall keep a 66  
permanent record of the installation and location of every drain 67  
and sewer of the drainage and sewerage system of the 68  
jurisdiction in which it has exercised the authority described 69  
in this division. 70

(E) This section does not exempt any officer or department 71  
from the obligation to enforce this chapter and Chapter 3791. of 72  
the Revised Code. 73

**Sec. 3781.06.** (A) (1) Any building that may be used as a 74  
place of resort, assembly, education, entertainment, lodging, 75  
dwelling, trade, manufacture, repair, storage, traffic, or 76  
occupancy by the public, any residential building, and all other 77  
buildings or parts and appurtenances of those buildings erected 78

within this state, shall be so constructed, erected, equipped, 79  
and maintained that they shall be safe and sanitary for their 80  
intended use and occupancy. 81

(2) Nothing in sections 3781.06 to 3781.18, 3781.40 to 82  
3781.43, and 3791.04 of the Revised Code shall be construed to 83  
limit the power of the division of industrial compliance of the 84  
department of commerce to adopt rules of uniform application 85  
governing manufactured home parks pursuant to section 4781.26 of 86  
the Revised Code. 87

(B) Sections 3781.06 to 3781.18, 3781.40 to 3781.43, and 88  
3791.04 of the Revised Code do not apply to either of the 89  
following: 90

(1) Buildings or structures that are incident to the use 91  
for agricultural purposes of the land on which the buildings or 92  
structures are located, provided those buildings or structures 93  
are not used in the business of retail trade. For purposes of 94  
this division, a building or structure is not considered used in 95  
the business of retail trade if fifty per cent or more of the 96  
gross income received from sales of products in the building or 97  
structure by the owner or operator is from sales of products 98  
produced or raised in a normal crop year on farms owned or 99  
operated by the seller. 100

(2) Existing single-family, two-family, and three-family 101  
detached dwelling houses for which applications have been 102  
submitted to the director of job and family services pursuant to 103  
section 5104.03 of the Revised Code for the purposes of 104  
operating type A family day-care homes as defined in section 105  
5104.01 of the Revised Code. 106

(C) As used in sections 3781.06 to 3781.18 and 3791.04 of 107

the Revised Code: 108

(1) "Agricultural purposes" include agriculture, farming, 109  
dairying, pasturage, apiculture, algaculture meaning the farming 110  
of algae, horticulture, floriculture, viticulture, ornamental 111  
horticulture, olericulture, pomiculture, and animal and poultry 112  
husbandry. 113

(2) "Building" means any structure consisting of 114  
foundations, walls, columns, girders, beams, floors, and roof, 115  
or a combination of any number of these parts, with or without 116  
other parts or appurtenances. 117

(3) "Industrialized unit" means a building unit or 118  
assembly of closed construction fabricated in an off-site 119  
facility, that is substantially self-sufficient as a unit or as 120  
part of a greater structure, and that requires transportation to 121  
the site of intended use. "Industrialized unit" includes units 122  
installed on the site as independent units, as part of a group 123  
of units, or incorporated with standard construction methods to 124  
form a completed structural entity. "Industrialized unit" does 125  
not include a manufactured home as defined by division (C) (4) of 126  
this section or a mobile home as defined by division (O) of 127  
section 4501.01 of the Revised Code. 128

(4) "Manufactured home" means a building unit or assembly 129  
of closed construction that is fabricated in an off-site 130  
facility and constructed in conformance with the federal 131  
construction and safety standards established by the secretary 132  
of housing and urban development pursuant to the "Manufactured 133  
Housing Construction and Safety Standards Act of 1974," 88 Stat. 134  
700, 42 U.S.C.A. 5401, 5403, and that has a permanent label or 135  
tag affixed to it, as specified in 42 U.S.C.A. 5415, certifying 136  
compliance with all applicable federal construction and safety. 137



standards.	138
(5) "Permanent foundation" means permanent masonry,	139
concrete, or a footing or foundation approved by the division of	140
industrial compliance of the department of commerce pursuant to	141
Chapter 4781. of the Revised Code, to which a manufactured or	142
mobile home may be affixed.	143
(6) "Permanently sited manufactured home" means a	144
manufactured home that meets all of the following criteria:	145
(a) The structure is affixed to a permanent foundation and	146
is connected to appropriate facilities;	147
(b) The structure, excluding any addition, has a width of	148
at least twenty-two feet at one point, a length of at least	149
twenty-two feet at one point, and a total living area, excluding	150
garages, porches, or attachments, of at least nine hundred	151
square feet;	152
(c) The structure has a minimum 3:12 residential roof	153
pitch, conventional residential siding, and a six-inch minimum	154
eave overhang, including appropriate guttering;	155
(d) The structure was manufactured after January 1, 1995;	156
(e) The structure is not located in a manufactured home	157
park as defined by section 4781.01 of the Revised Code.	158
(7) "Safe," with respect to a building, means it is free	159
from danger or hazard to the life, safety, health, or welfare of	160
persons occupying or frequenting it, or of the public and from	161
danger of settlement, movement, disintegration, or collapse,	162
whether such danger arises from the methods or materials of its	163
construction or from equipment installed therein, for the	164
purpose of lighting, heating, the transmission or utilization of	165

electric current, or from its location or otherwise. 166

(8) "Sanitary," with respect to a building, means it is 167  
free from danger or hazard to the health of persons occupying or 168  
frequenting it or to that of the public, if such danger arises 169  
from the method or materials of its construction or from any 170  
equipment installed therein, for the purpose of lighting, 171  
heating, ventilating, or plumbing. 172

(9) "Residential building" means a one-family, two-family, 173  
or three-family dwelling house, and any accessory structure 174  
incidental to that dwelling house. "Residential building" 175  
includes a one-family, two-family, or three-family dwelling 176  
house that is used as a model to promote the sale of a similar 177  
dwelling house. "Residential building" does not include an 178  
industrialized unit as defined by division (C)(3) of this 179  
section, a manufactured home as defined by division (C)(4) of 180  
this section, or a mobile home as defined by division (O) of 181  
section 4501.01 of the Revised Code. 182

(10) "Nonresidential building" means any building that is 183  
not a residential building or a manufactured or mobile home. 184

(11) "Accessory structure" means a structure that is 185  
attached to a residential building and serves the principal use 186  
of the residential building. "Accessory structure" includes, but 187  
is not limited to, a garage, porch, or screened-in patio. 188

**Sec. 3781.061.** Whenever a county zoning inspector under 189  
section 303.16 of the Revised Code, or a township zoning 190  
inspector under section 519.16 of the Revised Code, issues a 191  
zoning certificate that declares a specific building or 192  
structure is to be used in agriculture, such building is not 193  
subject to sections 3781.06 to 3781.20, 3781.40 to 3781.43, or 194

3791.04 of the Revised Code.	195
<b>Sec. 3781.10.</b> (A) (1) The board of building standards shall	196
formulate and adopt rules governing the erection, construction,	197
repair, alteration, and maintenance of all buildings or classes	198
of buildings specified in section 3781.06 of the Revised Code,	199
including land area incidental to those buildings, the	200
construction of industrialized units, the installation of	201
equipment, and the standards or requirements for materials used	202
in connection with those buildings. The board shall incorporate	203
those rules into separate residential and nonresidential	204
building codes. The standards shall relate to the conservation	205
of energy and the safety and sanitation of those buildings.	206
(2) The rules governing nonresidential buildings are the	207
lawful minimum requirements specified for those buildings and	208
industrialized units, except that no rule other than as provided	209
in division (C) of section 3781.108 of the Revised Code that	210
specifies a higher requirement than is imposed by any section of	211
the Revised Code is enforceable. The rules governing residential	212
buildings are uniform requirements for residential buildings in	213
any area with a building department certified to enforce the	214
state residential building code. In no case shall any local code	215
or regulation differ from the state residential building code	216
unless that code or regulation addresses subject matter not	217
addressed by the state residential building code or is adopted	218
pursuant to section 3781.01 of the Revised Code.	219
(3) The rules adopted pursuant to this section are	220
complete, lawful alternatives to any requirements specified for	221
buildings or industrialized units in any section of the Revised	222
Code. Except as otherwise provided in division (I) of this	223
section, the board shall, on its own motion or on application	224

made under sections 3781.12 and 3781.13 of the Revised Code, 225  
formulate, propose, adopt, modify, amend, or repeal the rules to 226  
the extent necessary or desirable to effectuate the purposes of 227  
sections 3781.06 to 3781.18 of the Revised Code. 228

(B) The board shall report to the general assembly 229  
proposals for amendments to existing statutes relating to the 230  
purposes declared in section 3781.06 of the Revised Code that 231  
public health and safety and the development of the arts require 232  
and shall recommend any additional legislation to assist in 233  
carrying out fully, in statutory form, the purposes declared in 234  
that section. The board shall prepare and submit to the general 235  
assembly a summary report of the number, nature, and disposition 236  
of the petitions filed under sections 3781.13 and 3781.14 of the 237  
Revised Code. 238

(C) On its own motion or on application made under 239  
sections 3781.12 and 3781.13 of the Revised Code, and after 240  
thorough testing and evaluation, the board shall determine by 241  
rule that any particular fixture, device, material, process of 242  
manufacture, manufactured unit or component, method of 243  
manufacture, system, or method of construction complies with 244  
performance standards adopted pursuant to section 3781.11 of the 245  
Revised Code. The board shall make its determination with regard 246  
to adaptability for safe and sanitary erection, use, or 247  
construction, to that described in any section of the Revised 248  
Code, wherever the use of a fixture, device, material, method of 249  
manufacture, system, or method of construction described in that 250  
section of the Revised Code is permitted by law. The board shall 251  
amend or annul any rule or issue an authorization for the use of 252  
a new material or manufactured unit on any like application. No 253  
department, officer, board, or commission of the state other 254  
than the board of building standards or the board of building 255

appeals shall permit the use of any fixture, device, material, 256  
method of manufacture, newly designed product, system, or method 257  
of construction at variance with what is described in any rule 258  
the board of building standards adopts or issues or that is 259  
authorized by any section of the Revised Code. Nothing in this 260  
section shall be construed as requiring approval, by rule, of 261  
plans for an industrialized unit that conforms with the rules 262  
the board of building standards adopts pursuant to section 263  
3781.11 of the Revised Code. 264

(D) The board shall recommend rules, codes, and standards 265  
to help carry out the purposes of section 3781.06 of the Revised 266  
Code and to help secure uniformity of state administrative 267  
rulings and local legislation and administrative action to the 268  
bureau of workers' compensation, the director of commerce, any 269  
other department, officer, board, or commission of the state, 270  
and to legislative authorities and building departments of 271  
counties, townships, and municipal corporations, and shall 272  
recommend that they audit those recommended rules, codes, and 273  
standards by any appropriate action that they are allowed 274  
pursuant to law or the constitution. 275

(E) (1) The Except as provided in division (E) (14) of this 276  
section, the board shall certify municipal, township, and county 277  
building departments and the personnel of those building 278  
departments, and persons and employees of individuals, firms, or 279  
corporations as described in division (E) (7) of this section to 280  
exercise enforcement authority, to accept and approve plans and 281  
specifications, and to make inspections, pursuant to sections 282  
3781.03, 3791.04, and 4104.43 of the Revised Code. 283

(2) The board shall certify departments, personnel, and 284  
persons to enforce the state residential building code, to 285

enforce the nonresidential building code, or to enforce both the 286  
residential and the nonresidential building codes. Any 287  
department, personnel, or person may enforce only the type of 288  
building code for which certified. 289

(3) The board shall not require a building department, its 290  
personnel, or any persons that it employs to be certified for 291  
residential building code enforcement if that building 292  
department does not enforce the state residential building code. 293  
The board shall specify, in rules adopted pursuant to Chapter 294  
119. of the Revised Code, the requirements for certification for 295  
residential and nonresidential building code enforcement, which 296  
shall be consistent with this division. The requirements for 297  
residential and nonresidential certification may differ. Except 298  
as otherwise provided in this division, the requirements shall 299  
include, but are not limited to, the satisfactory completion of 300  
an initial examination and, to remain certified, the completion 301  
of a specified number of hours of continuing building code 302  
education within each three-year period following the date of 303  
certification which shall be not less than thirty hours. The 304  
rules shall provide that continuing education credits and 305  
certification issued by the council of American building 306  
officials, national model code organizations, and agencies or 307  
entities the board recognizes are acceptable for purposes of 308  
this division. The rules shall specify requirements that are 309  
consistent with the provisions of section 5903.12 of the Revised 310  
Code relating to active duty military service and are 311  
compatible, to the extent possible, with requirements the 312  
council of American building officials and national model code 313  
organizations establish. 314

(4) The board shall establish and collect a certification 315  
and renewal fee for building department personnel, and persons 316

and employees of persons, firms, or corporations as described in 317  
this section, who are certified pursuant to this division. 318

(5) Any individual certified pursuant to this division 319  
shall complete the number of hours of continuing building code 320  
education that the board requires or, for failure to do so, 321  
forfeit certification. 322

(6) This division does not require or authorize the board 323  
to certify personnel of municipal, township, and county building 324  
departments, and persons and employees of persons, firms, or 325  
corporations as described in this section, whose 326  
responsibilities do not include the exercise of enforcement 327  
authority, the approval of plans and specifications, or making 328  
inspections under the state residential and nonresidential 329  
building codes. 330

(7) Enforcement authority for approval of plans and 331  
specifications and enforcement authority for inspections may be 332  
exercised, and plans and specifications may be approved and 333  
inspections may be made on behalf of a municipal corporation, 334  
township, or county, by any of the following who the board of 335  
building standards certifies: 336

(a) Officers or employees of the municipal corporation, 337  
township, or county; 338

(b) Persons, or employees of persons, firms, or 339  
corporations, pursuant to a contract to furnish architectural, 340  
engineering, or other services to the municipal corporation, 341  
township, or county; 342

(c) Officers or employees of, and persons under contract 343  
with, a municipal corporation, township, county, health 344  
district, or other political subdivision, pursuant to a contract 345

to furnish architectural, engineering, or other services. 346

(8) Municipal, township, and county building departments 347  
have jurisdiction within the meaning of sections 3781.03, 348  
3791.04, and 4104.43 of the Revised Code, only with respect to 349  
the types of buildings and subject matters for which they are 350  
certified under this section. 351

(9) A certified municipal, township, or county building 352  
department may exercise enforcement authority, accept and 353  
approve plans and specifications, and make inspections pursuant 354  
to sections 3781.03, 3791.04, and 4104.43 of the Revised Code 355  
for a park district created pursuant to Chapter 1545. of the 356  
Revised Code upon the approval, by resolution, of the board of 357  
park commissioners of the park district requesting the 358  
department to exercise that authority and conduct those 359  
activities, as applicable. 360

(10) Certification shall be granted upon application by 361  
the municipal corporation, the board of township trustees, or 362  
the board of county commissioners and approval of that 363  
application by the board of building standards. The application 364  
shall set forth: 365

(a) Whether the certification is requested for residential 366  
or nonresidential buildings, or both; 367

(b) The number and qualifications of the staff composing 368  
the building department; 369

(c) The names, addresses, and qualifications of persons, 370  
firms, or corporations contracting to furnish work or services 371  
pursuant to division (E)(7)(b) of this section; 372

(d) The names of any other municipal corporation, 373  
township, county, health district, or political subdivision 374



under contract to furnish work or services pursuant to division 375  
(E) (7) of this section; 376

(e) The proposed budget for the operation of the building 377  
department. 378

(11) The board of building standards shall adopt rules 379  
governing all of the following: 380

(a) The certification of building department personnel and 381  
persons and employees of persons, firms, or corporations 382  
exercising authority pursuant to division (E) (7) of this 383  
section. The rules shall disqualify any employee of the 384  
department or person who contracts for services with the 385  
department from performing services for the department when that 386  
employee or person would have to pass upon, inspect, or 387  
otherwise exercise authority over any labor, material, or 388  
equipment the employee or person furnishes for the construction, 389  
alteration, or maintenance of a building or the preparation of 390  
working drawings or specifications for work within the 391  
jurisdictional area of the department. The department shall 392  
provide other similarly qualified personnel to enforce the 393  
residential and nonresidential building codes as they pertain to 394  
that work. 395

(b) The minimum services to be provided by a certified 396  
building department. 397

(12) The board of building standards may revoke or suspend 398  
certification to enforce the residential and nonresidential 399  
building codes, on petition to the board by any person affected 400  
by that enforcement or approval of plans, or by the board on its 401  
own motion. Hearings shall be held and appeals permitted on any 402  
proceedings for certification or revocation or suspension of 403

certification in the same manner as provided in section 3781.101 404  
of the Revised Code for other proceedings of the board of 405  
building standards. 406

(13) Upon certification, and until that authority is 407  
revoked, any county or township building department shall 408  
enforce the residential and nonresidential building codes for 409  
which it is certified without regard to limitation upon the 410  
authority of boards of county commissioners under Chapter 307. 411  
of the Revised Code or boards of township trustees under Chapter 412  
505. of the Revised Code. 413

(14) The board does not have jurisdiction over 414  
certifications governed by sections 3781.40 to 3781.44 of the 415  
Revised Code. 416

(F) In addition to hearings sections 3781.06 to 3781.18 417  
and 3791.04 of the Revised Code require, the board of building 418  
standards shall make investigations and tests, and require from 419  
other state departments, officers, boards, and commissions 420  
information the board considers necessary or desirable to assist 421  
it in the discharge of any duty or the exercise of any power 422  
mentioned in this section or in sections 3781.06 to 3781.18, 423  
3791.04, and 4104.43 of the Revised Code. 424

(G) The board shall adopt rules and establish reasonable 425  
fees for the review of all applications submitted where the 426  
applicant applies for authority to use a new material, assembly, 427  
or product of a manufacturing process. The fee shall bear some 428  
reasonable relationship to the cost of the review or testing of 429  
the materials, assembly, or products and for the notification of 430  
approval or disapproval as provided in section 3781.12 of the 431  
Revised Code. 432

(H) The residential construction advisory committee shall 433  
provide the board with a proposal for a state residential 434  
building code that the committee recommends pursuant to division 435  
(D) (1) of section 4740.14 of the Revised Code. Upon receiving a 436  
recommendation from the committee that is acceptable to the 437  
board, the board shall adopt rules establishing that code as the 438  
state residential building code. 439

(I) (1) The committee may provide the board with proposed 440  
rules to update or amend the state residential building code 441  
that the committee recommends pursuant to division (E) of 442  
section 4740.14 of the Revised Code. 443

(2) If the board receives a proposed rule to update or 444  
amend the state residential building code as provided in 445  
division (I) (1) of this section, the board either may accept or 446  
reject the proposed rule for incorporation into the residential 447  
building code. If the board does not act to either accept or 448  
reject the proposed rule within ninety days after receiving the 449  
proposed rule from the committee as described in division (I) (1) 450  
of this section, the proposed rule shall become part of the 451  
residential building code. 452

(J) The board shall cooperate with the director of job and 453  
family services when the director promulgates rules pursuant to 454  
section 5104.05 of the Revised Code regarding safety and 455  
sanitation in type A family day-care homes. 456

(K) The board shall adopt rules to implement the 457  
requirements of section 3781.108 of the Revised Code. 458

Sec. 3781.40. As used in sections 3781.40 to 3781.44 of 459  
the Revised Code: 460

(A) "Adequate welding standards" means specifications, 461

guidelines, tests, and other methods used to ensure that all 462  
structural steel welds meet, at minimum, the codes and standards 463  
for such welds established in the American welding society 464  
structural steel welding code D1.1 and the nonresidential 465  
building code adopted under section 3781.10 of the Revised Code. 466

(B) "Certified welding inspector" means a person who has 467  
been certified by the American welding society to inspect 468  
structural steel welding projects and conduct welder 469  
qualification tests. 470

(C) "Structural steel welding" means structural welds, 471  
weld repair, the structural system, and the welding of all 472  
primary steel members of a structure in accordance with the 473  
American welding society structural steel welding code D1.1. 474  
"Structural steel welding" does not include welding that is 475  
required by the American society of mechanical engineers to have 476  
its own certification. 477

Sec. 3781.41. A contractor, subcontractor, or project 478  
manager who is responsible for the structural steel welding on a 479  
construction project shall ensure that all of the following 480  
occur: 481

(A) All welders performing structural steel welding for 482  
the project have been tested by and hold a valid certification 483  
from a facility that has been accredited by the American welding 484  
society to test and certify welders and welding inspectors. 485

(B) All structural steel welding performed for the project 486  
meets adequate welding standards. 487

(C) All structural steel welding inspections listed in the 488  
project's job specifications are completed by a certified 489  
welding inspector. 490

<u>Sec. 3781.42. The superintendent of industrial compliance</u>	491
<u>shall adopt rules pursuant to Chapter 119. of the Revised Code</u>	492
<u>to do all of the following:</u>	493
<u>(A) Govern the inspection of structural steel welding;</u>	494
<u>(B) Require the division of industrial compliance, any</u>	495
<u>building department or personnel of any department, or any</u>	496
<u>private third party, certified pursuant to section 3781.43 of</u>	497
<u>the Revised Code to conduct all inspections of structural steel</u>	498
<u>welding to determine compliance with section 3781.41 of the</u>	499
<u>Revised Code;</u>	500
<u>(C) Establish fees for conducting inspections to determine</u>	501
<u>compliance with section 3781.41 of the Revised Code;</u>	502
<u>(D) Govern the investigation of complaints concerning any</u>	503
<u>contractor, subcontractor, or project manager who fails to</u>	504
<u>comply with section 3781.41 of the Revised Code;</u>	505
<u>(E) Establish the requirements and procedures for the</u>	506
<u>certification of building departments, building department</u>	507
<u>personnel, and private third parties pursuant to section 3781.43</u>	508
<u>of the Revised Code;</u>	509
<u>(F) Establish fees to be charged to building departments,</u>	510
<u>building department personnel, and private third parties</u>	511
<u>applying for certification and renewal of certification pursuant</u>	512
<u>to section 3781.43 of the Revised Code;</u>	513
<u>(G) Develop a policy regarding the maintenance of records</u>	514
<u>for any inspection authorized or conducted pursuant to sections</u>	515
<u>3781.40 to 3781.43 of the Revised Code.</u>	516
<u>Sec. 3781.43. (A) Pursuant to the rules the superintendent</u>	517
<u>of industrial compliance adopts under section 3781.42 of the</u>	518

Revised Code, the superintendent may certify municipal, 519  
township, and county building departments and the personnel of 520  
those departments, or any private third party, to conduct all 521  
inspections of structural steel welding to determine compliance 522  
with section 3781.41 of the Revised Code. 523

(B) On the superintendent's own motion or on the petition 524  
of a person affected by an inspection of structural steel 525  
welding to determine compliance with section 3781.41, the 526  
superintendent may investigate a municipal, township, or county 527  
building department or the personnel of those departments, or 528  
any private third party certified pursuant to this section. 529  
Following an investigation and finding of facts that support the 530  
superintendent's action, the superintendent may revoke or 531  
suspend a certification. 532

(C)(1) If a municipal corporation, township, or county 533  
does not have a building department that is certified pursuant 534  
to this section, it may designate by resolution or ordinance 535  
another building department or a private third party that has 536  
been certified pursuant to this section to conduct all 537  
inspections of structural steel welding to determine compliance 538  
with section 3781.41 of the Revised Code. The designation is 539  
effective on acceptance by the designee. 540

(2) An owner of a project involving structural steel 541  
welding or a contractor, subcontractor, or project manager of 542  
the project may request an inspection and obtain an approval 543  
from any building department or private third party certified 544  
pursuant to this section and designated pursuant to division (C) 545  
(1) of this section by the municipal corporation, township, or 546  
county in which the project is located. 547

Sec. 3781.44. No person shall recklessly fail to comply 548

with sections 3781.41 to 3781.43 of the Revised Code or any rule 549  
adopted thereunder. 550

**Section 2.** That existing sections 3781.03, 3781.06, 551  
3781.061, and 3781.10 of the Revised Code are hereby repealed. 552

I\_132\_0025-2

132nd General Assembly  
Regular Session  
2017-2018

. B. No.

**A BILL**

To enact section 122.26 of the Revised Code to  
require the Development Services Agency to  
create, publish, and maintain an Ohio ambassador  
list consisting of persons experienced in  
conducting business in foreign markets.

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That section 122.26 of the Revised Code be  
enacted to read as follows:

**Sec. 122.26.** (A) The director of development services  
shall create, publish, and maintain an Ohio ambassador list  
consisting of persons who have experience conducting business in  
foreign markets and who may be interested in assisting Ohio  
businesses with one or more of the following:

(1) Establishing relationships with businesses, market or  
industry trade groups, or regulatory authorities in or of  
foreign nations;

(2) Brokering business transactions in foreign markets;



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- (3) Promoting the business in foreign markets; 17
- (4) Securing advice and information regarding foreign 18  
languages and local business and social customs. 19
- (B) The Ohio ambassador list shall be published on the web 20  
site of the development services agency in a format that 21  
includes the name, contact information, industry of expertise, 22  
and professional licenses and certifications of each person on 23  
the list and the foreign markets in which that person has 24  
relevant business experience. A person who meets the 25  
qualifications described in division (A) of this section may 26  
request to be added to the Ohio ambassador list by contacting 27  
the director. The director may recruit persons to join the Ohio 28  
ambassador list but the director shall not add any person to the 29  
list without that person's consent. The director shall remove a 30  
person from the Ohio ambassador list immediately upon that 31  
person's request. 32
- (C) The director shall annually contact each person on the 33  
Ohio ambassador list to ensure that the person's information is 34  
current and to confirm that the person wants to remain on the 35  
list. If the director is unable to contact a person on the list 36  
or if the person does not respond to written, electronic, or 37  
telephone messages from the director within thirty days, the 38  
director shall remove that person from the list. A person who is 39  
removed from the Ohio ambassador list may request to be added 40  
back to the list at any time. 41
- (D) Inclusion on the Ohio ambassador list is not an 42  
endorsement of that person by the agency or the state nor is it 43  
a confirmation of that person's qualifications. Neither the 44  
agency nor the state shall be liable for misfeasance, 45  
malfeasance, or nonfeasance committed by a person on the list in 46

performing the services described in division (A) of this 47  
section. 48

(E) Inclusion on the list, in and of itself, does not 49  
cause the person to be an employee or agent of any state agency. 50  
No person shall receive compensation from the agency for 51  
agreeing to be included on the list or for performing the 52  
services described in division (A) of this section. 53

**Donelon, Terry**

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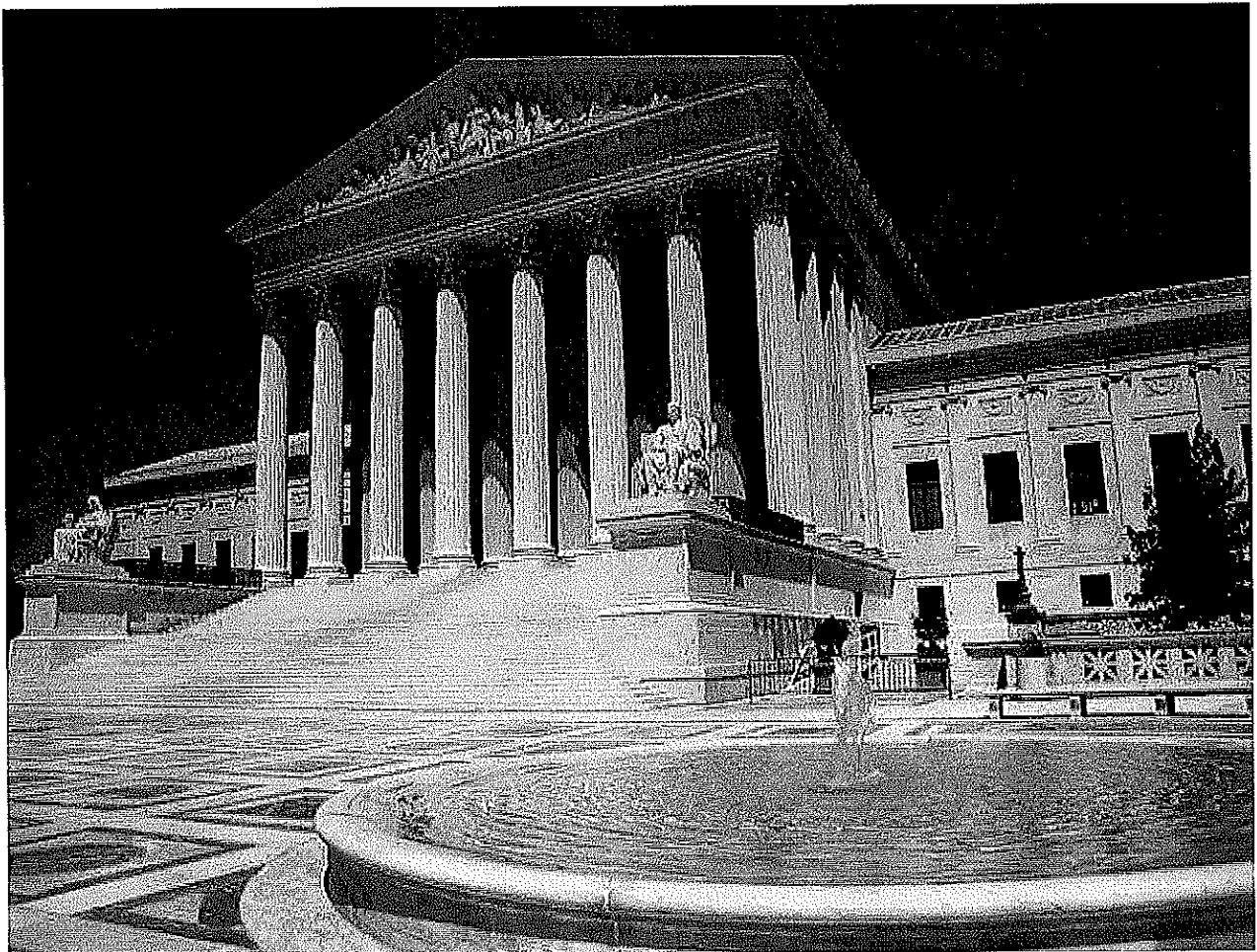
**From:** Max.Behlke@ncsl.org  
**Sent:** Monday, June 25, 2018 3:24 PM  
**To:** Donelon, Terry  
**Subject:** Cap to Cap: In the Name of Federalism and Free Markets

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged



**CapitoltoCapitol**

NATIONAL CONFERENCE of STATE LEGISLATURES



**June 25, 2018**

**In the Name of Federalism and Free Markets**

**NCSL Legislative Summit Policy Deadline is July 2**

Supreme Court Punts on Same-Sex Marriage and Gerrymandering

Immigration Stalls in House

Congress Moves the Ball Forward on its 2018 Farm Bill

Rescissions Package Fails in Senate

Senate Education Committee Postpones Perkins CTE Reauthorization Markup

Federal Commission on School Safety Convenes to Discuss Social Media's Impact on Student Safety

Trump Administration Proposes Reform of Federal Agencies

Five Weeks Until NCSL's Legislative Summit

On this Day, June 25, in...

Also of Note...

## In the Name of Federalism and Free Markets

*"In the name of federalism and free markets, Quill does harm to both. The physical presence rule it defines has limited States' ability to seek long-term prosperity and has prevented market participants from competing on an even playing field."*

– Justice Anthony Kennedy, writing for the majority in *South Dakota v. Wayfair*

Last Thursday, the U.S. Supreme Court (SCOTUS) did something it rarely does—admit that it was wrong. In a 5-4 opinion, the court ruled that the precedent it established in the 1967 *Bellas Hess* case and reaffirmed in the 1992 case of *Quill v. North Dakota* was bad precedent. For more than 50 years, the court had held that businesses must have a physical presence in a state before being required to collect and remit that state's sales tax. That is no longer the case. Writing for the majority, Justice Anthony Kennedy wrote that "the Court concludes that the physical presence rule of *Quill* is unsound and incorrect. The Court's decisions in [*Quill* and *Bellas Hess*] should be, and now are, overruled." In addition to vacating its previous rulings, SCOTUS remanded the case back to the South Dakota Supreme Court, which will reconsider the constitutionality of the sales tax law in the absence of *Quill*. Legal experts expect that the South Dakota Supreme Court will ultimately rule in favor of the state.

Kennedy wrote: "Two primary principles mark the boundaries of a State's authority to regulate interstate commerce: State regulations may not discriminate against interstate commerce; and States may not impose undue burdens on interstate commerce." He said that because South Dakota 1) exempted small remote sellers from having to collect and remit the state's sales tax, 2) prohibited retroactive application of the law, and 3) simplified their sales tax administration, the state's law did not discriminate against interstate commerce.

NCSL President, Senator Deb Peters (R-S.D.), who authored South Dakota's remote sales tax legislation, said in NCSL's statement following the decision that:

"Today's decision by the U.S. Supreme Court is a victory for Main Street America. Brick and mortar stores will no longer be penalized for collecting the tax revenues that fund our schools, infrastructure, and the vital public services that state and local governments provide. For states, today is just the beginning. We've waited 26 years. Good tax administration is good public policy and state officials look forward to working with all stakeholders in the coming months as we move forward to level the playing field for all of our nation's retailers."

The NCSL Executive Committee Task Force on State and Local Taxation (SALT), which has championed the issue of sales tax fairness for nearly two decades, will meet later this week, June 28-29, and will be Facebook livestreaming their sessions on sales tax collection in the post *Quill* age. There will so be a session on the issue during NCSL's 2018 Legislative Summit in Los Angeles.

#### **NCSL Remote Sales Tax Discussion**

- **When:** June 28, 2-4:30 p.m. (PT)
- **Where:** Incline Village, Nev.
- **Livestream:** NCSL Facebook Page
- **Task Force Meeting Agenda**

#### **Resources**

- June 25 letter from NCSL Executive Director William Pound to all state legislators regarding the Supreme Court decision
- Remote Sales Tax Collection
- "A Question of Fairness," State Legislatures magazine
- States Win Online Sales Tax Case (July 21, blog)

**NCSL Contacts:** Max Behlke, Jake Lestock

### **NCSL Legislative Summit Policy Deadline is July 2**

The deadline to submit new policy directives and resolutions or amendments to existing policy resolutions and amendments, for consideration at the 2018 Legislative Summit, is July 2, 2018. Please submit Policy Directives, Amendments, and/or Resolution to: [dc-directors@ncsl.org](mailto:dc-directors@ncsl.org).

**\*\*NCSL Capitol-to-Capitol will not publish the week of July 2\*\***

### **Supreme Court Punts on Same-Sex Marriage and Gerrymandering**

This morning, the Supreme Court announced it would not decide two controversial cases. First the court declined to make a decision regarding a North Carolina redistricting plan that a lower court had found violated the Constitution by overly favoring Republicans. SCOTUS sent the case back to the lower court to decide

whether or not the plaintiffs had the proper legal standing to bring the case. Today's ruling comes a week after the justices passed on chances to wade into similar cases from Wisconsin and Maryland.

Today, the court also remanded a case back to the Washington state Supreme Court and asked the lower court to revisit a case in which a florist, based on her Christian beliefs, declined to create flower arrangements for a same-sex wedding. SCOTUS said that the case should be reconsidered in light of the recent decision earlier this month that found in favor of a Colorado baker who refused to make a wedding cake for a same-sex couple out of religious beliefs.

*NCSL Contacts:* Susan Frederick

### **Immigration Stalls in House**

House Republicans worked over the weekend to make changes on a compromise immigration bill that will likely be voted on this week. Members worked to include a provision to expand E-verify, a program the U.S. government uses to check the immigration status of workers. Even with these changes, the chances of this bill passing the House still seem unlikely. Momentum seems to have slowed even further as President Donald Trump tweeted last Friday that he thinks immigration should be addressed after the midterm elections. This comes after Trump also signed an executive order last week stopping the administration's zero-tolerance policy of prosecuting migrant adults who illegally cross the border and resulted in the separation of families. While there is no deadline on getting an immigration bill passed, Congress leaves for its July 4 recess at the end of the week.

*NCSL Contacts:* Susan Frederick, Lucia Bragg

**DYK?** Soon after their victory over the Persians at the battle of Marathon in 490 B.C., the Athenians began the practice of ostracism, a form of election designed to curb the power of any rising tyrant. Once a year the people would meet and take a vote to determine if anyone was becoming too powerful and was able to establish a tyranny. If a simple majority voted yes, they met again two months later. At this second meeting, if at least 6,000 votes were cast, the man with the most votes lost and was exiled for 10 years.

### **Congress Moves the Ball Forward on its 2018 Farm Bill**

The House passed its 2018 Farm Bill last Thursday 213-211 while the Senate is expected to approve its version later this week, with the chamber expected to vote on invoking cloture later this evening. Assuming the Senate moves forward as scheduled, the next step will be for the two chambers to come together to develop a conference version. However, there are numerous differences between the two bills, which include potential changes to nutrition and conservation policy that may result in a lengthy conference process. Current authority for most farm bill programs expires Sept. 30.

Read the detailed breakdown of the House bill.

Read the detailed breakdown of the Senate bill, as it currently stands.

**NCSL Contacts:** Ben Husch, Kristen Hildreth (Agriculture) Haley Nicholson, Abbie Gruwell (Nutrition)

## **Rescissions Package Fails in Senate**

The deadline for the Senate to approve a rescissions package passed last Friday, effectively killing the bill. HR 3 was an attempt by the Trump administration to rescind nearly \$15 billion in previously approved funds that have gone unspent. Democrats had already made clear they would be voting against the bill claiming that pulling back this funding could undermine trust in the appropriations process because lawmakers would not be confident the difficult funding votes and decisions they make would be final. Republicans were hesitant to approve the package from the beginning because half of the cuts would come from the popular Children's Health Insurance Program. Although, Senator Richard Burr (R-N.C.) dealt the final blow in a 48-50 procedural vote stating his opposition came from the \$16 million in cuts to the Land Water Conservation Fund, one of the congressman's top priorities. The administration has announced that it may consider sending additional rescissions packages to Congress in the future.

**NCSL Contacts:** Max Behlke, Jake Lestock

## **Senate Education Committee Postpones Perkins CTE Reauthorization Markup**

Senate HELP Chairman Lamar Alexander announced that the Carl D. Perkins Career and Technical Education Reauthorization Act markup was rescheduled for Tuesday, June 26. Last week's markup was postponed because of Alexander's oversight of the Senate Energy-Water appropriations bill.

**NCSL Contacts:** Joan Wodiska, Miranda McDonald

**DYK?** Spanning 98.3 acres, Boeing's final assembly factory in Everett, Wash., is the world's largest building by volume. Seventy-five football fields could fit inside the building and the Boeing Everett campus is big enough to encompass Disneyland with 12 acres left over for parking. More than 30,000 people work at Boeing Everett, which has its own fire department, security team, day care center and fitness center.

## **Federal Commission on School Safety Convenes to Discuss Social Media's Impact on Student Safety**

On June 21, the Federal Commission on School Safety met to explore how entertainment, media, cyberbullying and social media affects violence and school safety. Entitled The Ecology of Schools: Fostering a Culture of Human Flourishing and Developing Character, the meeting was composed of three panels: Cyberbullying and Social Media; Youth Consumption of Violent Entertainment; and Effects of Press Coverage on Mass Shootings.

On Tuesday, June 26, the commission will hold another listening session in Lexington, Ky. Open to the public and state and local officials, the session will be divided into three parts: two roundtable discussions (1-3:15 p.m. EST) and a public comment period (4-6 p.m. EST). NCSL will be represented by lawmakers from Kentucky. Watch the livestream of the session. The commission will continue to offer listening sessions, formal meetings and field visits in the future. For more information, visit the FCSS website.

**NCSL Contacts:** Joan Wodiska, Miranda McDonald

## **Trump Administration Proposes Reform of Federal Agencies**

In an anticipated move toward government efficiency, the Trump administration announced a proposal to merge the federal education and labor agencies. Independently, the U.S. Department of Education has initiated restructuring, which includes the department taking over a host of programs currently managed by the Department of Labor. The proposed merger includes a department name change—Department of Education and the Workforce (DEW). The combined agency would have four major subdivisions that focus on K-12 education; workforce and higher education; enforcement of labor and civil rights laws; and research. Ultimate authority rests with Congress for final approval. Representative Virginia Foxx (R-N.Y.), chairwoman of the House Education and the Workforce Committee, applauded the proposed merger: "the federal government is long overdue for a serious overhaul." Representative Bobby Scott (D-Va.), ranking member of the House Education and the Workforce Committee, called the proposal "hastily concocted" and a threat to the federal investment in education and workforce programs.

The administration also proposed renaming the Department of Health and Human Services to the Department of Health and Public Welfare, which would move many of its safety net programs, including the SNAP program, into the newly named department.

White House statement on Reforming the Federal Government

**NCSL Contacts:** Joan Wodiska, Miranda McDonald (Education, Labor) Abbie Gruwell, Haley Nicholson (Health, Nutrition)

## **Five Weeks Until NCSL's Legislative Summit**

We have an exciting program planned for NCSL's Summit in Los Angeles, July 30-Aug. 2. The Legislative Summit promises to be full of interesting and provocative speakers and informative forums that address some of the most difficult issues you are facing in your state. We look forward to seeing you there! Information regarding registration and hotels, can be found [here](#).

### **Highlighted Sessions**

- **The Future of Gaming and Sports Betting**



- **Online Sales Taxes: What's Ahead for States**
- **Gerrymandering: Is it a Problem? Can it be Fixed?**
- **U.S. Economic Outlook**

**DYK?** SEAL Team Six, a special forces counter-terrorist unit, was formed in October 1980 after the failed mission to end the Iran hostage crisis in 1979. Although it was just the third Navy SEAL team, Richard Marcinko, the unit's first commander, named it SEAL Team Six to confuse Soviet Intelligence as to the number of actual SEAL teams in existence.

### **On this Day, June 25 in...**

- **1998**, the U.S. Supreme Court ruled that those infected with HIV are protected by the Americans With Disabilities Act.
- **1962**, the U.S. Supreme Court ruled that the use of unofficial nondenominational prayer in public schools was unconstitutional.
- **1951**, in New York, the first regular commercial color TV transmissions were presented on CBS using the FCC-approved CBS Color System.
- **1868**, Florida, Alabama, Louisiana, Georgia, North Carolina and South Carolina were readmitted to the Union.
- **1868**, Congress enacted legislation granting an eight-hour day to workers employed by the federal government.
- **1788**, Virginia ratified the U.S. Constitution and became the 10th state of the United States.

### **Also of Note...**

- **Mattis is out of the loop and Trump doesn't listen to him, say officials** ([NBC](#))

On Iran, North Korea and other major issues, the defense secretary has been out of the loop.

- **Jeff Flake hints at slowing down Senate work to extract concessions from Trump** ([Washington Post](#))

The senator and frequent Trump critic has threatened a rebellion on judicial nominations.

- **Races to watch in Tuesday's primaries** ([The Hill](#))

Voters in six states—Colorado, Maryland, New York, Oklahoma, South Carolina and Utah—head to the polls Tuesday to pick nominees in critical races ahead of November's midterm elections.

- **U.S. to present North Korea with post-summit 'asks': report** ([Fox News](#))

The United States is preparing "specific asks" in a timeline that will be presented to North Korean because of the recent historic summit, Reuters reported.

- **House Passes Bipartisan Opioid Bill Package** ([Roll Call](#))

The House on Friday passed a bill that will serve as the legislative vehicle for many of the 55 other House-passed bills designed to curb opioid addiction, ending two weeks of floor votes on opioids measures.

Read the June 18 Capitol-to-Capitol.

**\*\*NCSL Capitol-to-Capitol will not publish the week of July 2\*\***

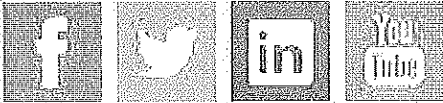
Like Capitol-to-Capitol? Have ideas or suggestions for how it can be improved? Please take two minutes to let us know in this [very short survey!](#)

We are always looking for interesting trivia about states, legislatures and American history. If you have some great facts, don't keep them to yourself. Let us know by clicking [here](#). We will likely include them in a future edition of Capitol to Capitol!

If you have comments or suggestions, please contact [Max Behlke](#).

[Read More](#)

*Capitol to Capitol is a publication of the National Conference of State Legislatures. NCSL is recognized as a formidable lobbying force in Washington, D.C. NCSL works to protect states from unfunded federal mandates and unwarranted federal pre-emption of state authority, and seeks to provide state legislatures the flexibility they need to innovate and be responsive to the unique needs of their residents. NCSL's advocacy is guided by the [policy directives and resolutions](#) adopted during NCSL's Legislative Summit.*



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## Donelon, Terry

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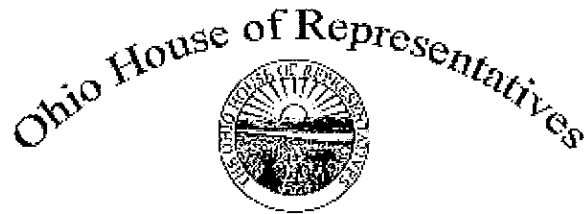
**From:** State and Local Government Committee  
**Sent:** Monday, June 25, 2018 5:59 PM  
**Cc:** Griffin, Lisa  
**Subject:** House State and Local Government Committee - Revised Notice for June 26th  
**Attachments:** 6.26.18NoticeRevised.pdf; hb598\_in\_am2658\_report.pdf; I\_132\_1022-1 (Sub. HB 675).pdf; sb239\_ps\_am2688\_report.pdf; sb239\_ps\_am2637\_report.pdf; sb239\_ps\_am2612\_report.pdf; 132SB239-2523X1.pdf; sb239\_ps\_am2625\_report.pdf; 132SB239-2540X1.pdf; 132SB239-2570.pdf; I\_132\_2434-2.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good evening,

Chair Anielski wanted me to pass along the attached revised notice to you, along with amendments that may be offered during tomorrow's meeting. Please see changes marked in RED.

Agenda clarification: Please note that H.B. 675 and H.B. 585 are listed as possible substitute-bill only. No testimony will be accepted during tomorrow's hearing for those two bills. The committee is NOT voting these bills out of committee, merely accepting a substitute-bill as the new working version of these bills for the committee members and the public to review.



**\*REVISED\* ANNOUNCEMENT OF COMMITTEE MEETING**

**COMMITTEE:** State and Local Government  
**CHAIR:** Marlene Amelski  
**DATE:** Tuesday, June 26, 2018  
**TIME:** 3:00 PM  
**ROOM:** Room 116

**AGENDA**

<u>BILL</u>	<u>SPONSOR</u>	<u>TITLE</u>	<u>STATUS</u>
H. B. No. 492	Rep. Gonzales	Establish women-owned business-procurement goals	5th Hearing Poss. Vote Prop/Opp/IP
H. B. No. 589	Rep. Ramos, Rep. Lang	Designate Hispanic and Latino Heritage Month	3rd Hearing Poss. Vote Prop/Opp/IP
H. B. No. 598	Rep. West, Rep. Green	Address tax sales of land and of land held by a land bank	3rd Hearing Poss. Vote Poss. Am. Prop/Opp/IP
H. B. No. 651	Rep. Schaffer	Designate Hank Kabel Sarcoma Awareness Month	3rd Hearing Poss. Vote Prop/Opp/IP
H. B. No. 675	Rep. Barnes	Authorize tax levy for Hope for Smile Program	3rd Hearing Poss. Sub. Bill
Sub. S. B. No. 239	Sen. Dolan	Modifies regional councils of government law	3rd Hearing Poss. Vote Poss. Am. Prop/Opp/IP
H. B. No. 585	Rep. Henne	Revise firearms control laws	4th Hearing Poss. Sub. Bill

The Chair respectfully requests that all testimony and witness slips be submitted to her office 24 hours in advance of committee. Testimony submitted after that time will be considered as written testimony only. Testimony may be submitted to [StateandLocalGovernmentCommittee@OhioHouse.gov](mailto:StateandLocalGovernmentCommittee@OhioHouse.gov)

Amendment No. AM\_132\_2658

H. B. No. 598

As Introduced

**Topic:** Sale of tax forfeited lands

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\_\_\_\_\_ moved to amend as follows:

In line 3 of the title, delete "give" and insert "increase from one 2  
to six years the interval within which"; delete "more" 3

In line 4 of the title, delete "discretion with respect to how 4  
often" and insert "must offer" 5

In line 5 of the title, delete "shall be offered" 6

In line 27, reinsert "shall"; delete "may" 7

In line 28, after "~~annually~~" insert "every six years"; reinsert ", 8  
or more frequently if"; delete "when" 9

In line 29, reinsert "more frequent sales are"; delete "a sale is" 10

The motion was \_\_\_\_\_ agreed to.

Legislative Service Commission

- 1 -

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I\_132\_1022-1

132nd General Assembly  
Regular Session  
2017-2018

Sub. H. B. No. 675

**A BILL**

To amend section 5705.06 and to enact sections  
307.601 and 749.40 of the Revised Code to  
expressly authorize municipal corporations and  
counties to establish and operate local Hope for  
a Smile Programs funded by property tax revenue.

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**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That section 5705.06 be amended and sections  
307.601 and 749.40 of the Revised Code be enacted to read as  
follows:

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Sec. 307.601. (A) A board of county commissioners may  
establish and operate a hope for a smile program with the  
primary objective of improving the oral health of school-age  
children, targeting children who are indigent and uninsured. The  
program may be implemented in a way that creates systemic  
efficiencies by leveraging available medicaid and insurance  
funding to provide early dental care and thereby improve future  
health outcomes and minimize the inevitable health care costs  
associated with bad oral health that will be paid by future  
taxpayers.

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(B) The board may allocate revenue to a hope for a smile 19  
program from the proceeds of a tax levied under section 5705.191 20  
of the Revised Code, or a tax that is a renewal or replacement 21  
of such levy, if the purpose of the tax is to supplement the 22  
general fund of the county for health or human services 23  
purposes. All such revenue shall be credited to a hope for a 24  
smile program fund established by the board and shall be used 25  
solely for the purposes described by this section. Any interest 26  
earned on money in the hope for a smile program fund shall be 27  
credited to the fund. 28

(C) The board may collaborate with one or more of the 29  
following in administering a hope for a smile program: 30

(1) The Ohio dental association; 31

(2) The Ohio dental hygienists' association; 32

(3) The Ohio state university college of dentistry and the 33  
dental hygiene program at that college; 34

(4) Case western reserve university school of dental 35  
medicine; 36

(5) Shawnee state university; 37

(6) James A. Rhodes state college; 38

(7) Columbus state community college; 39

(8) Cuyahoga community college, metropolitan campus; 40

(9) Youngstown state university; 41

(10) Lorain county community college; 42

(11) Lakeland community college; 43

(12) University of Cincinnati; 44

- (13) Sinclair community college; 45
- (14) Owens community college; 46
- (15) Stark state college. 47
- (D) Money in the hope for a smile program fund may be used 48  
to purchase or secure the use of, maintain, and operate one or 49  
more buses equipped as mobile dental units and staffed by 50  
dentists, dental hygienists, or the faculty or staff of the 51  
dentistry and dental hygiene educational programs of this state. 52  
The faculty or staff of the educational programs may permit 53  
students enrolled in the programs to participate in staffing the 54  
bus or buses. 55
- The individuals staffing each bus shall travel to schools 56  
located in the county. In scheduling visits to those schools, 57  
priority shall be given to schools that are attended by high 58  
numbers of children who are in the program's targeted 59  
population, but any child may receive dental services. The bus 60  
may also be used to provide services to elderly persons. 61  
Individuals who provide services through a hope for a smile 62  
program shall provide the services in accordance with their 63  
authority to practice under Chapter 4715. of the Revised Code. 64
- (E) A county that has established and operates a hope for 65  
a smile program satisfying divisions (A) to (D) of this section 66  
may do any of the following: 67
- (1) Apply on the program's behalf to the department of 68  
medicaid for a medicaid provider agreement. 69
- (2) Arrange with private entities that provide health care 70  
insurance or other forms of health care coverage in this state 71  
for reimbursement from them for services provided to children 72  
who have health care insurance or coverage through those 73



entities. The director of health shall assist the county in 74  
complying with this division upon the county's request. 75

(3) Seek payments from the medicaid program for services 76  
provided to children who are medicaid recipients. 77

(4) Seek reimbursement from private entities that provide 78  
health care insurance or other forms of health care coverage for 79  
services provided to children who have insurance or coverage 80  
through those. 81

(5) Apply for money allocated by the United States 82  
department of labor or other entities for workforce or economic 83  
development initiatives. 84

Any amounts received from a source described in this 85  
division shall be credited to the hope for a smile program fund. 86

(F) Not later than the first day of July each year, a 87  
board of county commissioners operating a hope for a smile 88  
program shall prepare a report on progress the program has made 89  
in achieving the objective expressed in division (A) of this 90  
section, saving money for the medicaid program and other safety 91  
net programs, and promoting workforce and economic development 92  
in this state. The board shall submit each report to the 93  
governor and to the general assembly. 94

Sec. 749.40. (A) The legislative authority of a municipal 95  
corporation may establish and operate a hope for a smile program 96  
with the primary objective of improving the oral health of 97  
school-age children, targeting children who are indigent and 98  
uninsured. The program may be implemented in a way that creates 99  
systemic efficiencies by leveraging available medicaid and 100  
insurance funding to provide early dental care and thereby 101  
improve future health outcomes and minimize the inevitable 102

health care costs associated with bad oral health that will be 103  
paid by future taxpayers. 104

(B)(1) The legislative authority may annually levy and 105  
collect a tax under division (H) of section 5705.06 of the 106  
Revised Code to fund a hope for a smile program. The rate of the 107  
tax shall not exceed one mill on each dollar of taxable value. 108

(2) The legislative authority may, as a supplement or 109  
alternative to the funding described in division (B)(1) of this 110  
section, allocate revenue to a hope for a smile program from the 111  
proceeds of a tax levied under section 5705.191 of the Revised 112  
Code, or a tax that is a renewal or replacement of such levy, if 113  
the purpose of the tax is to supplement the general fund of the 114  
municipal corporation for health or human services purposes. 115

(3) All revenue received from the tax levied under 116  
division (B)(1) of this section or allocated under division (B) 117  
(2) of this section shall be credited to a hope for a smile 118  
program fund established by the municipal corporation and shall 119  
be used solely for the purposes described by this section. Any 120  
interest earned on money in the hope for a smile program fund 121  
shall be credited to the fund. 122

(C) A municipal corporation may collaborate with one or 123  
more of the following in administering a hope for a smile 124  
program: 125

(1) The Ohio dental association; 126

(2) The Ohio dental hygienists' association; 127

(3) The Ohio state university college of dentistry and the 128  
dental hygiene program at that college; 129

(4) Case western reserve university school of dental 130

<u>medicine;</u>	131
<u>(5) Shawnee state university;</u>	132
<u>(6) James A. Rhodes state college;</u>	133
<u>(7) Columbus state community college;</u>	134
<u>(8) Cuyahoga community college, metropolitan campus;</u>	135
<u>(9) Youngstown state university;</u>	136
<u>(10) Lorain county community college;</u>	137
<u>(11) Lakeland community college;</u>	138
<u>(12) University of Cincinnati;</u>	139
<u>(13) Sinclair community college;</u>	140
<u>(14) Owens community college;</u>	141
<u>(15) Stark state college.</u>	142
<u>(D) Money in the hope for a smile program fund may be used</u>	143
<u>to purchase or secure the use of, maintain, and operate one or</u>	144
<u>more buses equipped as mobile dental units and staffed by</u>	145
<u>dentists, dental hygienists, or the faculty or staff of the</u>	146
<u>dentistry and dental hygiene educational programs of this state.</u>	147
<u>The faculty or staff of the educational programs may permit</u>	148
<u>students enrolled in the programs to participate in staffing the</u>	149
<u>bus or buses.</u>	150
<u>The individuals staffing each bus shall travel to schools</u>	151
<u>located in the municipal corporation. In scheduling visits to</u>	152
<u>those schools, priority shall be given to schools that are</u>	153
<u>attended by high numbers of children who are in the program's</u>	154
<u>targeted population, but any child may receive dental services.</u>	155
<u>The bus may also be used to provide services to elderly persons.</u>	156

Individuals who provide services through a hope for a smile 157  
program shall provide the services in accordance with their 158  
authority to practice under Chapter 4715. of the Revised Code. 159

(E) A municipal corporation that has established and 160  
operates a hope for a smile program satisfying divisions (A) to 161  
(D) of this section may do any of the following: 162

(1) Apply on the program's behalf to the department of 163  
medicaid for a medicaid provider agreement. 164

(2) Arrange with private entities that provide health care 165  
insurance or other forms of health care coverage in this state 166  
for reimbursement from them for services provided to children 167  
who have health care insurance or coverage through those 168  
entities. The director of health shall assist the municipal 169  
corporation in complying with this division upon the municipal 170  
corporation's request. 171

(3) Seek payments from the medicaid program for services 172  
provided to children who are medicaid recipients. 173

(4) Seek reimbursement from private entities that provide 174  
health care insurance or other forms of health care coverage for 175  
services provided to children who have insurance or coverage 176  
through those. 177

(5) Apply for money allocated by the United States 178  
department of labor or other entities for workforce or economic 179  
development initiatives. 180

Any amounts received from a source described in this 181  
division shall be credited to the hope for a smile program fund. 182

(F) Not later than the first day of July each year, a 183  
municipal corporation operating a hope for a smile program shall 184

prepare a report on progress the program has made in achieving 185  
the objective expressed in division (A) of this section, saving 186  
money for the medicaid program and other safety net programs, 187  
and promoting workforce and economic development in this state. 188  
The municipal corporation shall submit each report to the 189  
governor and to the general assembly. 190

**Sec. 5705.06.** The following special levies are hereby 191  
authorized without vote of the people: 192

(A) A levy for any specific permanent improvement which 193  
the subdivision is authorized by law to acquire, construct, or 194  
improve, or any class of such improvements which could be 195  
included in a single bond issue; 196

(B) A levy for the library purposes of the subdivision, in 197  
accordance with the provisions of the Revised Code authorizing 198  
levies for such purposes, but only to the extent so authorized; 199

(C) In the case of a municipal corporation, a levy for a 200  
municipal university under section 3349.13 of the Revised Code, 201  
but only to the extent authorized; 202

(D) In the case of a county, a levy for the construction, 203  
reconstruction, resurfacing, and repair of roads and bridges, 204  
other than state roads and bridges; 205

(E) In the case of a county, a levy for paying the 206  
county's proportion of the cost of the construction, 207  
improvement, and maintenance of state highways; 208

(F) In the case of a township, a levy for the 209  
construction, reconstruction, resurfacing, and repair of roads 210  
and bridges, excluding state roads and bridges, including the 211  
township's portion of the cost of the construction, improvement, 212  
maintenance, and repair of county roads and bridges; 213

(G) The levies prescribed by division (B) of sections 214  
742.33 and 742.34 of the Revised Code; 215

(H) In the case of a municipal corporation, a levy for the 216  
purposes of establishing and operating a hope for a smile 217  
program under section 749.40 of the Revised Code. 218

Each such special levy shall be within the ten-mill 219  
limitation and shall be subject to the control of the county 220  
budget commission, as provided by sections 5705.01 to 5705.47 of 221  
the Revised Code. 222

Except for the special levies authorized in divisions (A), 223  
(B), (C), (D), (E), and (G) of this section, any authority 224  
granted by the Revised Code to levy a special tax within the 225  
ten-mill limitation for a current expense shall be construed as 226  
authority to provide for such expense by the general levy for 227  
current expenses. 228

**Section 2.** That existing section 5705.06 of the Revised 229  
Code is hereby repealed. 230

Amendment No. AM\_132\_2688

Sub. S. B. No. 239

As Passed by the Senate

**Topic:** Henry County Veterans Highway

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\_\_\_\_\_ moved to amend as follows:

In line 2 of the title, after "2744.07" insert "and to enact section 2  
5534.811" 3

In line 4 of the title, delete "." and insert "and to designate the 4  
portion of U.S. Route 24 in Henry County as the "Henry County Veterans 5  
Highway."" 6

In line 6, after "2744.07" insert "be amended and section 5534.811"; 7  
delete "amended" and insert "enacted" 8

After line 395, insert: 9

"Sec. 5534.811. In addition to any other name prescribed 10  
in the Revised Code or otherwise, the eastbound and westbound 11  
lanes of United States route number twenty-four between the 12  
eastern border of Henry county and the western border of Henry 13  
county, shall be known as the "Henry County Veterans Highway." 14

The director of transportation may erect suitable markers 15

Legislative Service Commission

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along the highway indicating its name."

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The motion was \_\_\_\_\_ agreed to.



Amendment No. AM\_132\_2637

Sub. S. B. No. 239

As Passed by the Senate

**Topic:** Steve Story Memorial Highway

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\_\_\_\_\_ moved to amend as follows:

In line 2 of the title, after "2744.07" insert "and to enact section 2  
5534.911" 3

In line 4 of the title, delete "." and insert "and to designate a 4  
portion of U.S. Route 33 in Meigs County as the "Steve Story Memorial 5  
Highway."" 6

In line 6, after "2744.07" insert "be amended and section 5534.911"; 7  
delete "amended" and insert "enacted" 8

After line 395, insert: 9

"Sec. 5534.911. In addition to any other name prescribed 10  
by the Revised Code or otherwise, the southbound and northbound 11  
lanes of the road known as United States route number thirty- 12  
three, between the intersection of that route and the northern 13  
border of Meigs county and the intersection of that route and 14  
state route number six hundred eighty-one, in Meigs county, 15  
shall be known as the "Steve Story Memorial Highway." 16

Legislative Service Commission

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The director of transportation may erect suitable markers  
along the highway indicating its name."

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The motion was \_\_\_\_\_ agreed to.

Amendment No. AM\_132\_2612

Sub. S. B. No. 239

As Passed by the Senate

**Topic:** Officers Anthony Morelli and Eric Joering Memorial Highway

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\_\_\_\_\_ moved to amend as follows:

In line 2 of the title, after "2744.07" insert "and to enact section 2  
5534.403" 3

In line 4 of the title, delete "." and insert "and to designate a 4  
portion of Interstate Route 270 in Franklin County as the "Officers 5  
Anthony Morelli and Eric Joering Memorial Highway."" 6

In line 6, after "2744.07" insert "be amended and section 5534.403"; 7  
delete "amended" and insert "enacted" 8

After line 395, insert: 9

"Sec. 5534.403. In addition to any other name prescribed 10  
in the Revised Code or otherwise, the eastbound and westbound 11  
lanes of interstate route number two hundred seventy, commencing 12  
at the interchange of that route and state route number three 13  
and extending in a westerly direction to the intersection of 14  
interstate route number two hundred seventy and Cleveland 15  
avenue, in Franklin County, shall be known as the "Officers 16

Legislative Service Commission

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Anthony Morelli and Eric Joering Memorial Highway."

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The director of transportation may erect suitable markers  
along the highway indicating its name."

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The motion was \_\_\_\_\_ agreed to.

Sub. S.B. 239

As Passed by the Senate

**Topic:** Designating multiple tourism development districts

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\_\_\_\_\_ moved to amend as follows:

In line 1 of the title, after "167.07," insert "715.014,"

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In line 4 of the title, after "governments" insert "and to  
clarify that a municipal corporation eligible to designate a  
tourism development district may designate more than one district"

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In line 5, after "167.07," insert "715.014,"

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Between lines 196 and 197, insert:

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"Sec. 715.014. (A) As used in this section:

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(1) "Tourism development district" means a district  
designated by a municipal corporation under this section.

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(2) "Territory of a tourism development district" means all  
of the area included within the territorial boundaries of a  
tourism development district.

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(3) "Business" and "owner" have the same meanings as in  
section 503.56 of the Revised Code.

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(4) "Eligible municipal corporation" means a municipal  
corporation wholly or partly located in a county having a  
population greater than three hundred seventy-five thousand but  
less than four hundred thousand that levies taxes under section  
5739.021 or 5739.026 of the Revised Code, the aggregate rate of

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which does not exceed one-half of one per cent on September 29,  
2015.

(5) "Fiscal officer" means the city auditor, village clerk,  
or other municipal officer having the duties and functions of a  
city auditor or village clerk.

(B) (1) The legislative authority of an eligible municipal  
corporation, by resolution or ordinance, may declare an area of  
the municipal corporation to be a tourism development district for  
the purpose of fostering and developing tourism in the district if  
all of the following criteria are met:

(a) The district's area does not exceed six hundred acres.

(b) All territory in the district is contiguous.

(c) Before adopting the resolution or ordinance, the  
legislative authority holds at least two public hearings  
concerning the creation of the tourism development district.

(d) Before adopting the resolution or ordinance, the  
legislative authority receives a petition signed by every record  
owner of a parcel of real property located in the proposed  
district and the owner of every business that operates in the  
proposed district.

(e) The legislative authority adopts the resolution or  
ordinance on or before December 31, 2020.

A legislative authority may declare more than one area of the  
municipal corporation to be a tourism development district under  
this section.

(2) The petition described in division (B) (1) (d) of this  
section shall include an explanation of the taxes and charges that  
may be levied or imposed in the proposed district.

(3) The legislative authority shall certify the resolution or ordinance to the tax commissioner within five days after its adoption, along with a description of the boundaries of the district authorized in the resolution. That description shall include sufficient information for the commissioner to determine if the address of a vendor is within the boundaries of the district.

(4) Subject to the limitations of divisions (B) (1) (a) and (b) of this section, the legislative authority of an eligible municipal corporation may enlarge the territory of an existing tourism development district in the manner prescribed for the creation of a district under divisions (B) (1) to (3) of this section, except that the petition described in division (B) (1) (d) of this section must be signed by every record owner of a parcel of real property located in the area proposed to be added to the district and the owner of every business that operates in the area proposed to be added to the district.

(C) For the purpose of fostering and developing tourism in a tourism development district, a lessor leasing real property in a tourism development district may impose and collect a uniform fee on each parcel of real property leased by the lessor, to be paid by each of the person's lessees. A lessee is subject to such a fee only if the lease separately states the amount of the fee. Before a lessor may impose and collect such a fee, the lessor shall file a copy of such lease with the fiscal officer. A lessor that imposes such a fee shall remit all collections of the fee to the municipal corporation in which the real property is located.

The legislative authority of that municipal corporation shall establish all regulations necessary to provide for the administration and remittance of such fees. The regulations may

prescribe the time for payment of the fee, and may provide for the  
imposition of a penalty or interest, or both, for late  
remittances, provided that the penalty does not exceed ten per  
cent of the amount of fee due, and the rate at which interest  
accrues does not exceed the rate per annum prescribed pursuant to  
section 5703.47 of the Revised Code. The regulations shall  
provide, after deducting the real and actual costs of  
administering the fee, that the revenue be used exclusively for  
fostering and developing tourism within the tourism development  
district.

(D) The legislative authority of an eligible municipal  
corporation that has designated a tourism development district may  
levy the tax authorized under section 5739.101 of the Revised  
Code. Nothing in this section limits the power of the legislative  
authority of a municipal corporation to levy a tax on the basis of  
admissions in a tourism development district pursuant to its  
powers of local self-government conferred by Section 3 of Article  
XVIII, Ohio Constitution.

(E) On or before the first day of each January and July,  
beginning after the designation of ~~the~~ a tourism development  
district, the fiscal officer shall certify a list of vendors  
located within the tourism development district to the tax  
commissioner, which shall include the name, address, and vendor's  
license number for each vendor."

In line 397, after "167.07," insert "715.014,"

The motion was \_\_\_\_\_ agreed to.



**Topic:** Athletic Commission must be headquartered in Youngstown

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\_\_\_\_\_ moved to amend as follows:

In line 2 of the title, delete "and"; after "2744.07" insert ", and 3773.33"

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In line 4 of the title, after "governments" insert "and to require the Athletic Commission to be headquartered in Youngstown"

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In line 6, delete "and"; after "2744.07" insert ", and 3773.33"

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After line 395, insert:

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"Sec. 3773.33. (A) There is hereby created the Ohio athletic commission. The commission shall consist of five voting members appointed by the governor with the advice and consent of the senate, not more than three of whom shall be of the same political party, and two nonvoting members, one of whom shall be a member of the senate appointed by and to serve at the pleasure of the president of the senate and one of whom shall be a member of the house of representatives appointed by and to serve at the pleasure of the speaker of the house of representatives. To be

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eligible for appointment as a voting member, a person shall be a 17  
qualified elector and a resident of the state for not less than 18  
five years immediately preceding the person's appointment. Two 19  
voting members shall be knowledgeable in boxing and mixed 20  
martial arts. One commission member shall hold the degree of 21  
doctor of medicine or doctor of osteopathy. 22

(B) No person shall be appointed to the commission or be 23  
an employee of the commission who is licensed, registered, or 24  
regulated by the commission. No member shall have any legal or 25  
beneficial interest, direct or indirect, pecuniary or otherwise, 26  
in any person who is licensed, registered, or regulated by the 27  
commission or who participates in prize fights or public boxing 28  
or wrestling matches or exhibitions. No member shall participate 29  
in any fight, match, or exhibition other than in the member's 30  
official capacity as a member of the commission, or as an 31  
inspector as authorized in section 3773.52 of the Revised Code. 32

(C) The governor shall appoint the voting members to the 33  
commission. Of the initial appointments, two shall be for terms 34  
ending one year after September 3, 1996, two shall be for terms 35  
ending two years after September 3, 1996, and one shall be for a 36  
term ending three years after September 3, 1996. Thereafter, 37  
terms of office shall be for three years, each term ending the 38  
same day of the same month of the year as did the term which it 39  
succeeds. Each member shall hold office from the date of the 40  
member's appointment until the end of the term for which the 41  
member was appointed. Any member appointed to fill a vacancy 42  
occurring prior to the expiration of the term for which the 43  
member's predecessor was appointed shall hold office for the 44  
remainder of the term. Any member shall continue in office 45  
subsequent to the expiration date of the member's term until the 46

member's successor takes office.

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The governor shall name one voting member as chairperson of the commission at the time of making the appointment of any member for a full term. Three voting members shall constitute a quorum, and the affirmative vote of the majority of voting members shall be necessary for any action taken by the commission. No vacancy on the commission impairs the authority of the remaining members to exercise all powers of the commission.

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Voting members, when engaged in commission duties, shall receive a per diem compensation determined in accordance with division (J) of section 124.15 of the Revised Code, and all members shall receive their actual and necessary expenses incurred in the performance of their official duties.

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Each voting member, before entering upon the discharge of the member's duties, shall file a surety bond payable to the treasurer of state in the sum of ten thousand dollars. Each surety bond shall be conditioned upon the faithful performance of the duties of the office, executed by a surety company authorized to transact business in this state, and filed in the office of the secretary of state.

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The governor may remove any voting member for malfeasance, misfeasance, or nonfeasance in office after giving the member a copy of the charges against the member and affording the member an opportunity for a public hearing, at which the member may be represented by counsel, upon not less than ten days' notice. If the member is removed, the governor shall file a complete statement of all charges made against the member and the governor's finding on the charges in the office of the secretary of state, together with a complete report of the proceedings.

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The governor's decision shall be final. 77

(D) The commission shall maintain an office in Youngstown 78  
and keep all of its permanent records there." 79

In line 397, delete "and"; after "2744.07" insert ", and 3773.33" 80

The motion was \_\_\_\_\_ agreed to.

Sub. S.B. 239

As Passed by the Senate

Topic: Modify motion picture tax credit

\_\_\_\_\_ moved to amend as follows:

In line 1 of the title, after "102.01," insert "107.036,  
122.85," 1

In line 2 of the title, delete "and"; after "2744.07" insert  
", 5726.98, 5733.98, 5747.98, and 5751.98" 2

In line 4 of the title, after "governments" insert "and the  
law governing the motion picture tax credit" 3

In line 5, after "102.01," insert "107.036, 122.85," 4

In line 6, delete "and"; after "2744.07" insert ", 5726.98,  
5733.98, 5747.98, and 5751.98" 5

Between lines 97 and 98, insert: 6

"Sec. 107.036. (A) For each business incentive tax credit,  
the main operating appropriations act shall contain a detailed  
estimate of the total amount of credits that may be authorized in  
each year, an estimate of the amount of credits expected to be  
claimed in each year, and an estimate of the amount of credits  
expected to remain outstanding at the end of the biennium. The  
governor shall include such estimates in the state budget  
submitted to the general assembly pursuant to section 107.03 of  
the Revised Code. 7

(B) As used in this section, "business incentive tax credit"	20
means all of the following:	21
(1) The job creation tax credit under section 122.17 of the Revised Code;	22 23
(2) The job retention tax credit under section 122.171 of the Revised Code;	24 25
(3) The historic preservation tax credit under section 149.311 of the Revised Code;	26 27
(4) The motion picture <u>and Broadway theatrical production</u> tax credit under section 122.85 of the Revised Code;	28 29
(5) The new markets tax credit under section 5725.33 of the Revised Code;	30 31
(6) The research and development credit under section 166.21 of the Revised Code;	32 33
(7) The small business investment credit under section 122.86 of the Revised Code;	34 35
(8) The rural growth investment credit under section 122.152 of the Revised Code.	36 37
<b>Sec. 122.85.</b> (A) As used in this section and in sections 5726.55, 5733.59, 5747.66, and 5751.54 of the Revised Code:	38 39
(1) "Tax credit-eligible production" means a motion picture <u>or Broadway theatrical</u> production certified by the director of development services under division (B) of this section as qualifying the <del>motion picture</del> <u>production</u> company for a tax credit under section 5726.55, 5733.59, 5747.66, or 5751.54 of the Revised Code.	40 41 42 43 44 45
(2) "Certificate owner" means a <del>motion picture</del> <u>production</u>	46

company to which a tax credit certificate is issued or a person to 47  
which the company has transferred under division (H) of this 48  
section the authority to claim all or a part of the tax credit 49  
authorized by that certificate. 50

(3) "~~Motion picture~~ Production company" means an individual, 51  
corporation, partnership, limited liability company, or other form 52  
of business association producing a motion picture or Broadway 53  
theatrical production. 54

(4) "Eligible ~~production~~ expenditures" means expenditures 55  
made after June 30, 2009, for goods or services purchased and 56  
consumed in this state by a ~~motion picture~~ production company 57  
directly for the production of a tax credit-eligible production or 58  
for post-production activities, or for advertising and promotion 59  
of the production. 60

"Eligible ~~production~~ expenditures" includes, but is not 61  
limited to, expenditures for cast and crew wages, accommodations, 62  
costs of set construction and operations, editing and related 63  
services, photography, sound synchronization, lighting, wardrobe, 64  
makeup and accessories, film processing, transfer, sound mixing, 65  
special and visual effects, music, location fees, and the purchase 66  
or rental of facilities and equipment. 67

(5) "Motion picture" means entertainment content created in 68  
whole or in part within this state for distribution or exhibition 69  
to the general public, including, but not limited to, 70  
feature-length films; documentaries; long-form, specials, 71  
miniseries, series, and interstitial television programming; 72  
interactive web sites; sound recordings; videos; music videos; 73  
interactive television; interactive games; video games; 74  
commercials; any format of digital media; and any trailer, pilot, 75  
video teaser, or demo created primarily to stimulate the sale, 76

marketing, promotion, or exploitation of future investment in  
either a product or a motion picture by any means and media in any  
digital media format, film, or videotape, provided the motion  
picture qualifies as a motion picture. "Motion picture" does not  
include any television program created primarily as news, weather,  
or financial market reports, a production featuring current events  
or sporting events, an awards show or other gala event, a  
production whose sole purpose is fundraising, a long-form  
production that primarily markets a product or service or in-house  
corporate advertising or other similar productions, a production  
for purposes of political advocacy, or any production for which  
records are required to be maintained under 18 U.S.C. 2257 with  
respect to sexually explicit content.

(6) "Broadway theatrical production" means a pre-broadway  
production, long run production, or tour launch that is directed,  
managed, and performed by a professional cast and crew and that is  
directly associated with New York city's broadway theater  
district.

(7) "Pre-broadway production" means a live stage production  
that is scheduled for presentation in New York city's broadway  
theater district after the original or adaptive version is  
performed in a qualified production facility.

(8) "Long run production" means a live stage production that  
is scheduled to be performed at a qualified production facility  
for more than five weeks, with an average of at least six  
performances per week.

(9) "Tour launch" means a live stage production for which the  
activities comprising the technical period are conducted at a  
qualified production facility before a tour of the original or  
adaptive version of the production begins.



(10) "Qualified production facility" means a facility located 107  
in this state that is used in the development or presentation to 108  
the public of theater productions. 109

(B) For the purpose of encouraging and developing a strong 110  
film ~~industry~~ and theater industries in this state, the director 111  
of development services may certify a motion picture or Broadway 112  
theatrical production produced by a ~~motion picture~~ production 113  
company as a tax credit-eligible production. In the case of a 114  
television series, the director may certify the production of each 115  
episode of the series as a separate tax credit-eligible 116  
production. A ~~motion picture~~ production company shall apply for 117  
certification of a motion picture or Broadway theatrical 118  
production as a tax credit-eligible production on a form and in 119  
the manner prescribed by the director. Each application shall 120  
include the following information: 121

(1) The name and telephone number of the ~~motion picture~~ 122  
production company; 123

(2) The name and telephone number of the company's contact 124  
person; 125

(3) A list of the first preproduction date through the last 126  
production ~~date~~ and post-production dates in Ohio and, in the case 127  
of a Broadway theatrical production, a list of each scheduled 128  
performance in a qualified production facility; 129

(4) The Ohio production office or qualified production 130  
facility address and telephone number; 131

(5) The total production budget ~~of the motion picture~~; 132

(6) The total budgeted eligible ~~production~~ expenditures and 133  
the percentage that amount is of the total production budget of 134  
the motion picture or Broadway theatrical production; 135

(7) <del>The</del> <u>In the case of a motion picture, the</u> total percentage	136
of the <del>motion picture</del> <u>production</u> being shot in Ohio;	137
(8) The level of employment of cast and crew who reside in	138
Ohio;	139
(9) A synopsis of the script;	140
(10) <del>The</del> <u>In the case of a motion picture, the</u> shooting	141
script;	142
(11) A creative elements list that includes the names of the	143
principal cast and crew and the producer and director;	144
(12) Documentation of financial ability to undertake and	145
complete the motion picture <u>or Broadway theatrical production</u> ,	146
including documentation that shows that the company has secured	147
funding equal to at least fifty per cent of the total production	148
budget <del>of the motion picture</del> ;	149
(13) Estimated value of the tax credit based upon total	150
budgeted eligible <u>production</u> expenditures;	151
(14) <u>Estimated amount of state and local taxes to be</u>	152
<u>generated in this state from the production;</u>	153
(15) <u>Estimated economic impact of the production in this</u>	154
<u>state;</u>	155
(16) Any other information considered necessary by the	156
director.	157
Within ninety days after certification of a motion picture <u>or</u>	158
<u>Broadway theatrical production</u> as a tax credit-eligible	159
production, and any time thereafter upon the request of the	160
director of development services, the <del>motion picture</del> <u>production</u>	161
company shall present to the director sufficient evidence of	162
reviewable progress. If the <del>motion picture</del> <u>production</u> company	163

fails to present sufficient evidence, the director may rescind the certification. If the production of a motion picture or Broadway theatrical production does not begin within ninety days after the date it is certified as a tax credit-eligible production, the director shall rescind the certification. Upon rescission, the director shall notify the applicant that the certification has been rescinded. Nothing in this section prohibits an applicant whose tax credit-eligible production certification has been rescinded from submitting a subsequent application for certification.

(C) (1) A ~~motion picture production~~ company whose motion picture or Broadway theatrical production has been certified as a tax credit-eligible production may apply to the director of development services on or after July 1, 2009, for a refundable credit against the tax imposed by section 5726.02, 5733.06, 5747.02, or 5751.02 of the Revised Code. The director in consultation with the tax commissioner shall prescribe the form and manner of the application and the information or documentation required to be submitted with the application.

The credit is determined as follows:

(a) If the total budgeted eligible ~~production~~ expenditures stated in the application submitted under division (B) of this section or the actual eligible ~~production~~ expenditures as finally determined under division (D) of this section, whichever is least, is less than or equal to three hundred thousand dollars, no credit is allowed;

(b) ~~If~~ Subject to division (C) (1) (c) of this section, if the total budgeted eligible ~~production~~ expenditures stated in the application submitted under division (B) of this section or the actual eligible ~~production~~ expenditures as finally determined

under division (D) of this section, whichever is least, is greater 194  
than three hundred thousand dollars, the credit equals thirty per 195  
cent of the least of such budgeted or actual eligible expenditure 196  
amounts; 197

(c) The director may reduce the credit amount computed under 198  
division (C) (1) (b) of this section if the director determines, 199  
based on the information provided in the certified public 200  
accountant's report submitted pursuant to division (D) of this 201  
section or other information available to the director, that the 202  
tax credit-eligible production failed to generate the state and 203  
local tax collections or failed to have the economic impact than 204  
was estimated in the application submitted under division (B) of 205  
this section. If the director elects to reduce the amount of a 206  
credit, the amount of such reduction shall not exceed the 207  
following amounts, as applicable: 208

(i) In the case of a tax credit-eligible production that only 209  
failed to generate the estimated state and local tax collections, 210  
the quantity obtained by multiplying the credit amount computed 211  
under division (C) (1) (b) of this section by a fraction, the 212  
numerator of which is the amount by which the estimated state and 213  
local tax collections exceed the actual state and local tax 214  
collections, and the denominator of which is the estimated state 215  
and local tax collections; 216

(ii) In the case of a tax credit-eligible production that 217  
only failed to generate the estimated economic impact, the 218  
quantity obtained by multiplying the credit amount computed under 219  
division (C) (1) (b) of this section by a fraction, the numerator of 220  
which is the amount by which the estimated economic impact exceeds 221  
the actual economic impact, and the denominator of which is the 222  
estimated economic impact; 223

(iii) In the case of a tax credit-eligible production that 224  
failed to generate both the estimated state and local tax 225  
collections and the estimated economic impact than estimated, the 226  
sum of divisions (C)(1)(c)(i) and (ii) of this section. 227

(2) Except as provided in division (C)(4) of this section, if 228  
the director of development services approves a ~~motion picture~~ 229  
production company's application for a credit, the director shall 230  
issue a tax credit certificate to the company. The director in 231  
consultation with the tax commissioner shall prescribe the form 232  
and manner of issuing certificates. The director shall assign a 233  
unique identifying number to each tax credit certificate and shall 234  
record the certificate in a register devised and maintained by the 235  
director for that purpose. The certificate shall state the amount 236  
of the eligible ~~production~~ expenditures on which the credit is 237  
based and the amount of the credit as adjusted under division 238  
(C)(1)(c) of this section. Upon the issuance of a certificate, the 239  
director shall certify to the tax commissioner the name of the 240  
applicant, the amount of eligible ~~production~~ expenditures shown on 241  
the certificate, the amount of the credit, and any other 242  
information required by the rules adopted to administer this 243  
section. 244

(3) The amount of eligible ~~production~~ expenditures for which 245  
a tax credit may be claimed is subject to inspection and 246  
examination by the tax commissioner or employees of the 247  
commissioner under section 5703.19 of the Revised Code and any 248  
other applicable law. Once the eligible ~~production~~ expenditures 249  
are finally determined under section 5703.19 of the Revised Code 250  
and division (D) of this section and the credit amount is reduced 251  
under division (C)(1)(c) of this section, if applicable, the 252  
credit amount is not subject to further adjustment unless the 253  
director determines an error was committed in the computation of 254

the credit amount or the amount by which the credit was reduced. 255

(4) No tax credit certificate may be issued before the 256  
completion of the tax credit-eligible production. Not more than 257  
forty million dollars of tax credit may be allowed per fiscal year 258  
~~beginning July 1, 2016,~~ provided that, for any fiscal year in 259  
which the amount of tax credits allowed under this section is less 260  
than that maximum annual amount, the amount not allowed for that 261  
fiscal year shall be added to the maximum annual amount that may 262  
be allowed for the following fiscal year. 263

(5) ~~In approving~~ The director shall review and approve 264  
applications for tax credits under this section credits in two 265  
rounds each fiscal year. The first round of credits shall be 266  
awarded not later than the last day of July of the fiscal year, 267  
and the second round of credits shall be awarded not later than 268  
the last day of the ensuing January. The amount of credits awarded 269  
in the first round of applications each fiscal year shall not 270  
exceed twenty million dollars plus any credit allotment that was 271  
not awarded in the preceding fiscal year and carried over under 272  
division (C) (4) of this section. For each round, the director 273  
shall rank applications on the basis of the extent of positive 274  
economic impact each tax credit-eligible production is likely to 275  
have in this state and the effect on developing a permanent 276  
workforce in motion picture or theatrical production industries in 277  
the state. For the purpose of such ranking, the director shall 278  
give priority to tax-credit eligible productions that are 279  
television series or miniseries due to the long-term commitment 280  
typically associated with such productions. The economic impact 281  
ranking shall be based on the production company's total 282  
expenditures in this state directly associated with the tax 283  
credit-eligible production. The effect on developing a permanent 284  
workforce in the motion picture or theatrical production 285

industries shall be evaluated first by the number of new jobs 286  
created and second by amount of payroll added with respect to 287  
employees in this state. 288

The director shall approve productions in the order of their 289  
ranking, from those with the greatest positive economic impact and 290  
workforce development effect to those with the least positive 291  
economic impact and workforce development effect. 292

(D) A ~~motion picture~~ production company whose motion picture 293  
or Broadway theatrical production has been certified as a tax 294  
credit-eligible production shall engage, at the company's expense, 295  
an independent certified public accountant to examine the 296  
company's production, post-production, and advertising and 297  
promotion expenditures to identify the expenditures that qualify 298  
as eligible ~~production~~ expenditures. The certified public 299  
accountant shall also determine the economic impact of the 300  
production on this state and the amount of state and local taxes 301  
generated in this state by the production. The certified public 302  
accountant shall issue a report to the company and to the director 303  
of development services certifying the company's eligible 304  
~~production~~ expenditures, the economic impact of the production, 305  
the amount of state and local taxes generated by the production, 306  
and any other information required by the director. Upon receiving 307  
and examining the report, the director may disallow any 308  
expenditure the director determines is not an eligible ~~production~~ 309  
expenditure. If the director disallows an expenditure, the 310  
director shall issue a written notice to the ~~motion picture~~ 311  
production company stating that the expenditure is disallowed and 312  
the reason for the disallowance. Upon examination of the report 313  
and disallowance of any expenditures, the director shall determine 314  
finally the lesser of the total budgeted eligible ~~production~~ 315  
expenditures stated in the application submitted under division 316

(B) of this section or the actual eligible ~~production~~ expenditures 317  
for the purpose of computing the amount of the credit. 318

(E) No credit shall be allowed under section 5726.55, 319  
5733.59, 5747.66, or 5751.54 of the Revised Code unless the 320  
director has reviewed the report and made the determination 321  
prescribed by division (D) of this section. 322

(F) This state reserves the right to refuse the use of this 323  
state's name in the credits of any tax credit-eligible motion 324  
picture production or program of any Broadway theatrical 325  
production. 326

(G) (1) The director of development services in consultation 327  
with the tax commissioner shall adopt rules for the administration 328  
of this section, including rules setting forth and governing the 329  
criteria for determining whether a motion picture or Broadway 330  
theatrical production is a tax credit-eligible production; 331  
activities that constitute the production or post-production of a 332  
motion picture or Broadway theatrical production; reporting 333  
sufficient evidence of reviewable progress; expenditures that 334  
qualify as eligible ~~production~~ expenditures; a schedule and 335  
deadlines for applications to be submitted and reviewed; a 336  
competitive process for approving credits based on likely economic 337  
impact in this state and development of a permanent workforce in 338  
motion picture or theatrical production industries in this state; 339  
consideration of geographic distribution of credits; and 340  
implementation of the program described in division (I) of this 341  
section. The rules shall be adopted under Chapter 119. of the 342  
Revised Code. 343

(2) To cover the administrative costs of the program, the 344  
director shall require each applicant to pay an application fee 345  
equal to the lesser of ten thousand dollars or one per cent of the 346



estimated value of the tax credit as stated in the application. 347  
The fees collected shall be credited to the tax incentives 348  
operating fund created in section 122.174 of the Revised Code. All 349  
grants, gifts, fees, and contributions made to the director for 350  
marketing and promotion of the motion picture industry within this 351  
state shall also be credited to the fund. 352

(H) (1) After the director of development services makes the 353  
determination required under division (D) of this section, a 354  
~~motion picture~~ production company to which a tax credit 355  
certificate is issued may transfer the authority to claim all or a 356  
portion of the amount of the tax credit ~~the motion picture company~~ 357  
~~is authorized to claim pursuant to that certificate under section~~ 358  
~~5726.55, 5733.59, 5747.66, or 5751.54 of the Revised Code~~ to one 359  
or more other persons. Within thirty days after a transfer under 360  
this division, the ~~motion picture~~ production company shall submit 361  
the following information to the director, on a form prescribed by 362  
the director: 363

(a) Information necessary for the director to identify the 364  
certificate that is the basis for the transfer; 365

(b) The portion or amount of the tax credit transferred to 366  
each transferee; 367

(c) The portion or amount of the tax credit that the ~~motion~~ 368  
~~picture~~ production company retains the authority to claim; 369

(d) The tax identification number of each transferee; 370

(e) The date of the transfer; 371

(f) Any other information required by the director; 372

(g) Any information required by the tax commissioner. 373

The director shall deliver a copy of any submission received 374

under division (H) (1) of this section to the tax commissioner.

(2) A transferee may not claim a credit under section 5726.55, 5733.59, 5747.66, or 5751.54 of the Revised Code unless and until the transferring ~~motion picture~~ production company complies with division (H) (1) of this section. A transferee may claim the transferred amount of any credit or portion of a credit for the same taxable year or tax period for which the transferring ~~motion picture~~ production company was authorized to claim the credit or portion of a credit pursuant to the certificate. A ~~motion picture~~ production company shall make no transfer under division (H) (1) of this section after the last day of the tax period or taxable year for which the ~~motion picture~~ production company is required to claim the credit pursuant to the certificate.

A ~~motion picture~~ production company may make not more than one transfer under division (H) (1) of this section for each tax credit certificate, but pursuant to that transaction, may allocate the authority to claim a portion of the credit to more than one transferee. A ~~motion picture~~ production company may not authorize more than one transferee to claim the same portion of a credit.

(I) The director of development services shall establish a program for the training of Ohio residents who are or wish to be employed in the film or multimedia industry. Under the program, the director shall:

(1) Certify individuals as film and multimedia trainees. In order to receive such a certification, an individual must be an Ohio resident, have participated in relevant on-the-job training or have completed a relevant training course approved by the director, and have met any other requirements established by the director.

(2) Accept applications from ~~motion picture~~ production companies that intend to hire and provide on-the-job training to one or more certified film and multimedia trainees who will be employed in the company's tax credit-eligible production.

(3) Upon completion of a tax-credit eligible production, and upon the receipt of any salary information and other documentation required by the director, authorize a reimbursement payment to each ~~motion picture~~ production company whose application was approved under division (I)(2) of this section. The payment shall equal fifty per cent of the salaries paid to film and multimedia trainees employed in the production."

Between lines 395 and 396, insert:

"Sec. 5726.98. (A) To provide a uniform procedure for calculating the amount of tax due under section 5726.02 of the Revised Code, a taxpayer shall claim any credits to which the taxpayer is entitled under this chapter in the following order:

(1) The nonrefundable job retention credit under division (B) of section 5726.50 of the Revised Code;

(2) The nonrefundable credit for purchases of qualified low-income community investments under section 5726.54 of the Revised Code;

(3) The nonrefundable credit for qualified research expenses under section 5726.56 of the Revised Code;

(4) The nonrefundable credit for qualifying dealer in intangibles taxes under section 5726.57 of the Revised Code;

(5) The refundable credit for rehabilitating an historic building under section 5726.52 of the Revised Code;

(6) The refundable job retention or job creation credit under

division (A) of section 5726.50 of the Revised Code;	433
(7) The refundable credit under section 5726.53 of the	434
Revised Code for losses on loans made under the Ohio venture	435
capital program under sections 150.01 to 150.10 of the Revised	436
Code;	437
(8) The refundable motion picture <u>and Broadway theatrical</u>	438
production credit under section 5726.55 of the Revised Code.	439
(B) For any credit except the refundable credits enumerated	440
in this section, the amount of the credit for a taxable year shall	441
not exceed the tax due after allowing for any other credit that	442
precedes it in the order required under this section. Any excess	443
amount of a particular credit may be carried forward if authorized	444
under the section creating that credit. Nothing in this chapter	445
shall be construed to allow a taxpayer to claim, directly or	446
indirectly, a credit more than once for a taxable year.	447
<b>Sec. 5733.98.</b> (A) To provide a uniform procedure for	448
calculating the amount of tax imposed by section 5733.06 of the	449
Revised Code that is due under this chapter, a taxpayer shall	450
claim any credits to which it is entitled in the following order,	451
except as otherwise provided in section 5733.058 of the Revised	452
Code:	453
(1) For tax year 2005, the credit for taxes paid by a	454
qualifying pass-through entity allowed under section 5733.0611 of	455
the Revised Code;	456
(2) The credit allowed for financial institutions under	457
section 5733.45 of the Revised Code;	458
(3) The credit for qualifying affiliated groups under section	459
5733.068 of the Revised Code;	460

(4) The subsidiary corporation credit under section 5733.067	461
of the Revised Code;	462
(5) The credit for recycling and litter prevention donations	463
under section 5733.064 of the Revised Code;	464
(6) The credit for employers that enter into agreements with	465
child day-care centers under section 5733.36 of the Revised Code;	466
(7) The credit for employers that reimburse employee child	467
care expenses under section 5733.38 of the Revised Code;	468
(8) The credit for purchases of lights and reflectors under	469
section 5733.44 of the Revised Code;	470
(9) The nonrefundable job retention credit under division (B)	471
of section 5733.0610 of the Revised Code;	472
(10) The second credit for purchases of new manufacturing	473
machinery and equipment under section 5733.33 of the Revised Code;	474
(11) The job training credit under section 5733.42 of the	475
Revised Code;	476
(12) The credit for qualified research expenses under section	477
5733.351 of the Revised Code;	478
(13) The enterprise zone credit under section 5709.66 of the	479
Revised Code;	480
(14) The credit for the eligible costs associated with a	481
voluntary action under section 5733.34 of the Revised Code;	482
(15) The credit for employers that establish on-site child	483
day-care centers under section 5733.37 of the Revised Code;	484
(16) The ethanol plant investment credit under section	485
5733.46 of the Revised Code;	486
(17) The credit for purchases of qualifying grape production	487

property under section 5733.32 of the Revised Code;	488
(18) The export sales credit under section 5733.069 of the Revised Code;	489
(19) The enterprise zone credits under section 5709.65 of the Revised Code;	491
(20) The credit for using Ohio coal under section 5733.39 of the Revised Code;	493
(21) The credit for purchases of qualified low-income community investments under section 5733.58 of the Revised Code;	495
(22) The credit for small telephone companies under section 5733.57 of the Revised Code;	497
(23) The credit for eligible nonrecurring 9-1-1 charges under section 5733.55 of the Revised Code;	499
(24) For tax year 2005, the credit for providing programs to aid the communicatively impaired under division (A) of section 5733.56 of the Revised Code;	501
(25) The research and development credit under section 5733.352 of the Revised Code;	504
(26) For tax years 2006 and subsequent tax years, the credit for taxes paid by a qualifying pass-through entity allowed under section 5733.0611 of the Revised Code;	506
(27) The refundable credit for rehabilitating a historic building under section 5733.47 of the Revised Code;	509
(28) The refundable jobs creation credit or job retention credit under division (A) of section 5733.0610 of the Revised Code;	511
(29) The refundable credit for tax withheld under division	514